

Kansas Register

Bill Graves, Secretary of State

Vol. 11, No. 38 September 17, 1992 Pages 1447-1500

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Kansas Register

State of Kansas

Board of Mortuary Arts

Notice of Meeting

The Kansas State Board of Mortuary Arts will meet October 8-9 at the board office, 700 S.W. Jackson, Suite 904, Topeka. The Thursday, October 8 meeting will begin at 9 a.m. The Friday, October 9 meeting will begin with administering of examinations at the Downtown Holiday Inn City Centre at 9 a.m.

Douglas "Mack" Smith
Executive Secretary

Doc. No. 012471

State of Kansas

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, October 2, in Room 11, State Defense Building, 2800 S. Topeka Blvd., Topeka. Agenda items include committee reports, selecting a contractor for an instructor-coordinator endorsement workshop, selecting a medical advisor, approving a new emergency medical technician-intermediate examination and setting meeting dates for 1993.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W. 6th, Topeka, (913) 296-7296.

Bob McDanel
Administrator

Doc. No. 012476

State of Kansas

Kansas Technology Enterprise Corporation

Notice of Meeting

The Kansas Technology Enterprise Corporation Board of Directors will meet at 10 a.m. Thursday, September 24, in the Campus Activities Center, Wichita State University campus, Wichita.

Lloyd Silver Jr.
Chairman

Doc. No. 012480

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210 as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201(1), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

Effective 9-21-92 to 9-27-92

Term	Rate
0-90 days	3.13%
3 months	2.96%
6 months	3.01%
12 months	3.21%
24 months	3.81%
36 months	4.35%
48 months	4.96%

Sally Thompson
State Treasurer

Doc. No. 012481

The Kansas Register (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.54 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

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PUBLISHED BY
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Secretary of State
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Topeka, KS 66612-1594
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Register Office:
235-N, State Capitol
(913) 296-3489

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of September 21 through October 5:

Date	Room	Time	Committee	Agenda
September 21 September 22	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Children and Families	<u>21st</u> : KanWork Program; child care issues. <u>22nd</u> : Personnel policies; minimum income levels—SRS assistance programs.
September 21 September 22	Cancelled Cancelled		Joint Committee on Administrative Rules and Regulations	Cancelled Cancelled
September 22 September 23	531-N 531-N	10:00 a.m. 9:00 a.m.	Health Care Decisions for the 1990's	Report from the Commission on the Future of Health Care; utilization review; interstate insurance compact; mandated health insurance coverage for nervous and mental conditions, drug abuse, and alcoholism; review of bill drafts re: charitable health care providers; credentialing; and physicians' referral.
September 22 September 23	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Governmental Organization	<u>22nd</u> : Staff background on Proposal No. 9—Redistricting Procedure; hearings on Proposal No. 11—Library Laws. <u>23rd</u> : Agency briefing and hearings on Proposal No. 10—Dept. of Health and Environment.
September 24 September 25	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Judiciary	Hearings on Proposal No. 12—Sentencing Guidelines and report from Sentencing Commission Task Force on Consolidation. Hearings on Proposal No. 13—Statewide Medical Examiner System. Update on Attorney General's Task Force on Forfeiture.
September 28 September 29	Russell Hays, Lucas	9:00 a.m. 9:00 a.m.	Joint Committee on Arts and Cultural Resources	Tour of cultural attractions.
October 1 October 2	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	<u>1st</u> : Project review—Board of Regents' institutions. <u>2nd</u> : Project review—Dept. of Wildlife and Parks.

Emil Lutz
Director of Legislative
Administrative Services

State of Kansas

Board of Technical Professions

Notice of Meeting

The State Board of Technical Professions will meet September 24-25 at the Manhattan Country Club, Manhattan. The Professional Engineer and Land Surveyor Committee and the Architect and Landscape Architect Committee will meet at 9 a.m. Thursday, September 24, and the full board will meet at 9 a.m. Friday, September 25. All meetings are open to the public.

Betty L. Rose
Executive Secretary

Doc. No. 012473

State of Kansas

Department of Commerce
and HousingNotice of Hearing on Proposed
Administrative Regulations

A public hearing on permanent rules and regulations for the implementation of the Kansas Enterprise Zone Act, Substitute 1992 House Bill 2681, will be held at 10 a.m. Monday, October 19, in the conference room, Department of Commerce and Housing, 700 S.W. Harrison, Suite 1300, Topeka.

The purpose of the hearing is to receive comments regarding documentation required for designation of a non-metropolitan region, as provided by New Section 4 of the bill. The designation of a county (or counties) as a non-metropolitan region will provide for enhanced credits to new and expanding businesses, as provided by new Section 8(b) of the bill.

Anyone unable to attend the hearing may submit written comments in advance. Written comments should be received by the program administrator no later than 5 p.m. Friday, October 16.

Comments made *prior to October 1* should be delivered or mailed to:

Kansas Department of Commerce and Housing
Community Development Division
Enterprise Zone Program Administrator
400 S.W. 8th, 5th Floor
Topeka, KS 66603-3957

Comments made *after October 1* should be delivered or mailed to:

Kansas Department of Commerce and Housing
Community Development Division
Enterprise Zone Program Administrator
700 S.W. Harrison, Suite 1300
Topeka, KS 66603-3712

Carole L. Morgan
Acting Secretary of Commerce
and Housing

Doc. No. 012474

State of Kansas

Kansas Sentencing Commission

Notice of Meeting

The Kansas Sentencing Commission will meet at 9:30 a.m. Monday, September 21, in Room 452-W, Docking State Office Building, 915 S.W. Harrison, Topeka.

Julie Meyer
Office Specialist

Doc. No. 012496

State of Kansas

Department of Commerce
and HousingNotice Concerning Kansas Small Cities
CDBG Program

Public notice is hereby given that according to Title I of the Housing and Community Development Act of 1974, as amended and in compliance with Sections 104(a)(2)(D) and (E) of the Act:

(e) Each grantee [i.e. the State of Kansas] shall submit to the Secretary [i.e. of the U.S. Department of Housing and Urban Development], at a time determined by the Secretary, a performance and evaluation report concerning the use of funds made available under Section 106, together with an assessment by the grantee of the relationship of such use to the objectives identified in the grantee's statement under subsection (a) and to the requirements of subsection (b)(3). Such report shall also be made available to the citizens in each grantee's jurisdiction in sufficient time to permit such citizens to comment on each report prior to its submission, and in such manner and at such times as the grantee may determine. The grantee's report shall indicate its programmatic accomplishments, the nature of the reasons for changes in the grantee's program objectives, indications of how the grantee would change its programs as a result of its experiences and an evaluation of the extent to which its funds were used for activities that benefitted low- and moderate-income persons. The report shall include a summary of any comments received by the grantee from citizens in its jurisdiction respecting its program.

Submission of the performance and evaluation report deadline to HUD is October 1.

Written comments on the performance and evaluation report will be received until 5 p.m. Wednesday, September 30, in the offices of the Kansas Small Cities CDBG Program, 400 S.W. 8th, Suite 500, Topeka 66603. The document also may be obtained or reviewed at that address.

Carole L. Morgan
Acting Secretary of Commerce
and Housing

Doc. No. 012493

State of Kansas

Department of Wildlife
and Parks

Notice of Draft Environmental Assessment

Pursuant to requirements of the National Environmental Policy Act of 1969, the Kansas Department of Wildlife and Parks announces the release of a draft environmental assessment entitled "The Development of McPherson Valley Wetlands." This project proposes to restore wetlands that have been converted to agricultural uses at the department's McPherson Wetlands Area. Restoration activities will be primarily located at the Big Basin, Little Basin, and Chain of Lakes areas on the department's property.

Interested groups and individuals are encouraged to provide comments regarding this assessment to: Federal Aid Coordinator, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. Review copies may be requested from the above address or by calling (913) 296-2281. Persons with a hearing impairment may contact the department using the Kansas Relay Center at 1-800-766-3777. Written comments should be received by 5 p.m. October 5.

Ted Ensley
Secretary of Wildlife
and Parks

Doc. No. 012479

State of Kansas

Attorney General

Opinion No. 92-114

Public Health—Healing Arts; Kansas Healing Arts Act—Persons Deemed Engaged in Practice of Medicine and Surgery; Diagnosis of Psychological Disorders. Steve A. Schwarm, General Counsel, Kansas Board of Healing Arts, Topeka, August 27, 1992.

Practitioners of medicine and surgery and practitioners of osteopathic medicine and surgery are authorized to diagnose psychological disorders. To the extent contrary to the discussion herein, Attorney General Opinions No. 87-184 and 92-43 are hereby modified. Cited herein: K.S.A. 1991 Supp. 65-2869; K.S.A. 65-2870; K.S.A. 1987 Supp. 74-5362; L. 1988, ch. 251, § 5. CN

Opinion No. 92-115

Corporations—Agricultural Corporations—Limitations; Exceptions; Penalties; Production Contract Requirements. Representative Alex Scott, 65th District, Junction City, August 27, 1992.

Corporations with production contracts that do not involve pork processors are exempt from the proscription against corporate ownership of farmland found at K.S.A. 1991 Supp. 17-5904. In order to qualify under this exemption, a corporation must enter into a contract with a person engaged in farming for the production of agricultural products that are the subject of

the production contract with the corporation. Cited herein: K.S.A. 1991 Supp. 17-5904; K.S.A. 17-5905. GE

Opinion No. 92-116

Drainage and Levees—Watershed Districts; Taxation and Bonded Indebtedness—No Fund Warrants for Initial Expenses; Annual Tax Levies for General Fund Expenses; Increased Levies, Procedure; Tax Levies for No Fund Warrants and Bonds; Structure Maintenance Fund. Larry Baer, Attorney for Sand Creek Watershed Joint District No. 68, Newton, August 28, 1992.

Subsection (c) of K.S.A. 1991 Supp. 24-1219 authorizes the creation of a structure maintenance fund. A watershed district board may create the fund by passing a resolution. The statute authorizes annual deposits of funds; it does not authorize backfunding generally or for years that a structure has been in existence before the creation of the fund. Cited herein: K.S.A. 24-1214; K.S.A. 1991 Supp. 24-1219. GE

Opinion No. 92-117

State Departments; Public Officers and Employees—Payroll Accounting for State Agencies—Formation, Installation and Operation of System of Payroll Accounting; Payroll Deductions for Membership Dues. Senator Anthony Hensley, 19th District, Topeka, September 4, 1992.

K.S.A. 75-5501 does not authorize members of an employee organization to designate part of their payroll deducted monthly dues be contributed by the state to political action committees. An agreement between the state and an employee organization to deduct membership dues from non-members would be contrary to article 15, section 12 of the Kansas constitution and K.S.A. 75-5501 unless the employee has voluntarily signed a written authorization-assignment. Finally, an "actual direct expense" for purposes of K.S.A. 75-5501(b)(4) is not limited to the transaction cost incurred by the state's computer in taking a specified sum from the check. Cited herein: K.S.A. 75-4333; 75-4337; 75-5501; Kan. Const., Art. 15, § 12. MJS

Opinion No. 92-118

Counties and County Officers—County Commissioners—Awarding of Certain Contracts; Public Letting; Ability to Negotiate with the Low Bidder. Brad L. Jones, Coffey County Attorney, Burlington, September 4, 1992.

The board of county commissioners can modify contracts without being required to rebid the project as long as there is not a material change in the terms, any change is such that it could have been made before the contract had been executed, and if the change does not defeat the purpose of the competitive bidding procedure. Cited herein: K.S.A. 19-214; 19-215; 19-216. MJS

Robert T. Stephan
Attorney General

Doc. No. 012495

State of Kansas

Board of Agriculture

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9:30 a.m. Monday, October 19, in the board room of the Kansas State Board of Agriculture, 901 S. Kansas Ave., Topeka, at which time all interested persons will have an opportunity to be heard regarding the adoption of proposed permanent rules and regulations of the Kansas State Board of Agriculture. In addition, certain regulations will be revoked. The proposed permanent rules and regulations will become effective 45 days after their publication in the Kansas Register unless a specified date is contained in the regulation. All interested persons may attend the hearing and will be given an opportunity to express comments either orally or in writing, or both. In addition, the period of at least 30 days notice constitutes a public comment period for the purpose of receiving comments on the proposed rules and regulations.

Written comments and requests for copies of the regulations and the complete economic impact statement should be sent to Kenneth M. Wilke, Chief Counsel, Kansas State Board of Agriculture, 901 S. Kansas Ave., Topeka 66612, at or before the time of the hearing. If you intend to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

A summary of the proposed regulations is as follows:

4-7-900. Makes a technical change in the regulation to comply with the Kansas Administrative Procedures Act.

4-8-14a. Adds two additional chemicals to the list of approved chemicals.

4-8-28. Updates Johnsongrass Control Plan adopted by reference to July 28, 1992 edition.

4-8-33. Updates Canada Thistle Control Plan adopted by reference of July 28, 1992 edition.

4-8-40. Updates Sericea Lespedeza Control Plan adopted by reference to July 28, 1992 edition.

4-10-1. Updates portions of ASME codes previously adopted by reference to July 1, 1992 edition.

4-13-36. Deletes unnecessary language.

4-13-38. Deletes unnecessary language.

4-13-41. Deletes unnecessary language.

4-13-42. Deletes unnecessary language.

4-13-60. Makes a technical change in the regulation to comply with the Kansas Administrative Procedures Act.

4-13-61. Deletes unnecessary language.

4-13-62. Deletes unnecessary language.

4-13-63. Deletes unnecessary language.

4-13-64. Deletes unnecessary language.

4-13-65. Deletes unnecessary language.

4-16-1a. Establishes dollar limitation for retail store definition at \$30,000.

4-16-1c. Updates federal regulations adopted by reference to January 1, 1992 edition as supplemented by Federal Register publications on June 10 and June 22, 1992.

4-16-7a. Increases the overtime rate from \$16 to \$18 per hour.

4-16-300. Makes a technical change in the regulation to comply with the Kansas Administrative Procedures Act.

4-17-1a. Technical change only.

4-17-1c. Updates federal regulations adopted by reference to January 1, 1992 edition as supplemented by Federal Register publications on June 10 and June 24, 1992.

4-17-5. This regulation will be revoked.

4-17-5a. Deletes unnecessary language.

4-17-300. Makes a technical change in the regulation to comply with the Kansas Administrative Procedures Act.

Regarding the proposed amendments to K.A.R. 4-7-900 concerning technical changes in the dairy civil penalty regulation, there will be minimal, if any, fiscal or economic impact on the agency, other governmental agencies, individuals, private businesses or the general public.

Regarding the proposed amendments to K.A.R. 4-8-14a, 4-8-28, 4-8-33 and 4-8-40 concerning noxious weeds, there will be minimal, if any, fiscal or economic impact on the agency, other governmental agencies, individuals, private businesses or the general public.

Regarding the proposed amendments to K.A.R. 4-13-36, 4-13-38, 4-13-41, 4-13-42, 4-13-60, 4-13-61, 4-13-62, 4-13-63, 4-13-64 and 4-13-65 concerning pesticides, there will be minimal, if any, fiscal impact on this agency, other governmental agencies, individuals, private businesses or the general public, except those persons requesting plant pest inspection of growing crops prior to interstate shipment. In these cases, the agency estimates that it will receive additional revenue of approximately \$1,500.

Regarding the proposed regulations K.A.R. 4-16-1a, 4-16-1c, 4-16-300, 4-17-1a, 4-17-1c, 4-17-5, 4-17-5a and 4-17-300 concerning meat and poultry inspection, there will be minimal, if any, fiscal or economic impact on this agency, other governmental agencies, individuals, private businesses or the general public.

Regarding the proposed amendments to K.A.R. 4-16-7a concerning overtime inspection rates, there will be minimal, if any, fiscal impact on this agency, other governmental agencies, individuals, private businesses or the general public, except those persons requesting overtime inspection. Based upon the number of hours of overtime actually requested during the last fiscal year, the agency estimates that it will receive additional revenue of approximately \$164.

Copies of these regulations and the complete fiscal impact statements may be obtained by writing to Kenneth M. Wilke, Chief Counsel, at the address above.

Sam Brownback
Secretary of Agriculture

Doc. No. 012494

State of Kansas

Commission on Disability Concerns

Notice of Meeting

The Kansas Commission on Disability Concerns will meet at 10 a.m. Thursday, October 22, in the second floor conference room at 1430 S.W. Topeka Blvd., Topeka.

Joe Dick
Secretary of Human Resources

Doc. No. 012492

State of Kansas

Department of Corrections

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted from 10 to 10:30 a.m. Monday, November 2, in the Department of Corrections' conference room, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed amendments to K.A.R. 44-7-104 of the Kansas Department of Corrections. This regulation will become effective 45 days after publication in the Kansas Register unless a specific date is contained in the regulation.

All interested parties may submit written comments prior to the hearing to Charles E. Simmons, Chief Legal Counsel, Kansas Department of Corrections, 4th Floor, Landon State Office Building, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed regulation. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation.

A summary of K.A.R. 44-7-104 follows:

44-7-104. This regulation concerns inmate visitation. Amendments proposed to the regulation provide that all of an inmate's children, step-children, and grandchildren under age 18 shall count as one eligible visitor rather than being counted separately; clarify the process for a temporary care giver of a minor child to authorize visits by the child; and provide that a former employee of a correctional facility may not visit an inmate for a period of two years after the end of employment.

The regulation is not estimated to have any economic impact on governmental units, persons subject to the proposed regulation, or the general public.

Copies of the proposed regulation and economic impact statement may be obtained by contacting Charles E. Simmons at the address above.

Gary Stotts
Secretary of Corrections

Doc. No. 012478

State of Kansas

Grain Inspection Department

**Notice of Hearing on Proposed
Administrative Regulations**

The Kansas State Grain Inspection Department will conduct a public hearing at 10 a.m. Wednesday, October 21, in the conference room of the Kansas State Grain Inspection Department, 700 Jackson, Suite 800, Topeka, regarding the revocation of K.A.R. 25-2-2 and K.A.R. 25-2-5.

The revocations will become effective upon approval by the State Rules and Regulations Board and filing with the Secretary of State. The Kansas State Grain Inspection Department proposes to revoke these regulations, which have been superceded by federal law. There will be no fiscal impact.

All interested parties may submit written comments during the 30-day notice period prior to the hearing to the Director, Kansas State Grain Inspection Department, P.O. Box 1918, Topeka 66601-1918. All interested parties will be given a reasonable opportunity to present their views orally on the proposed revocations during the hearing.

Copies of the full text of the regulations and economic impact statement may be obtained by contacting the director at the address above, (913) 296-3451.

Lee Hamm
Director

Doc. No. 012482

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 10 a.m. C.S.T. October 15, 1992, and then publicly opened:

District One—Northeast

Atchison—9-3 K-2629-01—K-9, Stranger Creek bridge 30, 0.6 mile northeast of the east junction of U.S. 159, bridge replacement. (Federal Funds)

Atchison—59-3 U-1406-01—U.S. 59 and 14th and George, in Atchison, traffic signal. (Federal Funds)

Johnson—150-46 U-1404-01—K-150 and Chestnut in Olathe, traffic signal. (Federal Funds)

Marshall—9-58 K-4749-01—K-9, Elm Creek bridge 22, 0.6 mile east of the east junction of U.S. 77, bridge overlay. (State Funds)

Wabaunsee—70-99 K-4766-01—I-70, Snokomo Creek bridge 24, north lane, 2.3 miles east of K-138, bridge repair. (State Funds)

Wyandotte—70-105 K-4795-01—I-70 westbound off-ramp and 57th Street in Kansas City, traffic signal. (Federal Funds)

(continued)

Wyandotte—70-105 K-5066-01—I-70, bridges 211 and 212 over the southbound I-435 ramps, 0.1 mile, bridge repair. (State Funds)

Wyandotte—132-105 K-4776-01—K-132, Kansas River bridge 107, 0.6 mile southeast of K-32, bridge painting. (State Funds)

Wyandotte—105 U-1262-01—55th Street viaduct in Kansas City, 0.1 mile, grading, surfacing and bridge. (Federal Funds)

Wyandotte—105 U-1412-01—K-32 and 57th Street in Kansas City, traffic signal. (Federal Funds)

District Two—Northcentral

Cloud—81-15 U-1407-01—U.S. 81 and 11th Street in Concordia, traffic signal. (Federal Funds)

Ellsworth—14-27 K-4750-01—K-14, culvert 507 and culverts located 3.3 and 2.9 miles south of I-70, culvert work. (State Funds)

Lincoln—232-53 K-4785-01—K-232, Hell Creek bridge 34, 2.3 miles north of the Ellsworth-Lincoln county line, bridge overlay. (State Funds)

Morris—4-64 K-4745-01—K-4, culverts 526 and 527, south of Dwight, culvert work. (State Funds)

Ottawa—72 C-2906-01—County road, 1.5 miles south and 2.0 miles east of Tescott, 0.3 mile, grading and bridge. (Federal Funds)

Republic—81-79 K-4772-01—U.S. 81, Riley Creek bridge 22, 0.2 mile north of U.S. 36, bridge overlay. (State Funds)

District Three—Northwest

Osborne—71 C-2386-01—County road, 9.5 miles north and 0.5 miles east of Natoma, then north, 1.9 miles, grading. (Federal Funds)

Sherman—70-91 K-5064-01—I-70, from the end of the concrete pavement at the interchange of I-70 and K-253; east on I-70 for 7.9 miles to the Sherman-Thomas county line, bituminous overlay. (State Funds)

District Four—Southwest

Bourbon—6 C-2534-01—County road, 1.0 mile south of Xenia, then south, 0.2 mile, grading and bridge. (Federal Funds)

Coffey—57-16 K-2644-01—K-57, Big Creek bridge 39, 3.1 miles east of the south junction of U.S. 75, bridge replacement. (Federal Funds)

Montgomery—63 U-0843-01—Norwood Street at Sycamore Creek in Coffeyville, 0.1 mile, bridge replacement. (Federal Funds)

District Five—Southcentral

Barber—160-4 K-4780-01—U.S. 160, Elm Creek bridge 10, 0.8 mile east of the east junction of U.S. 281, bridge painting. (Federal Funds)

Kiowa—54-49 K-3193-01—U.S. 54, from the Ford-Kiowa county line northeast to the junction of K-154, 6.4 miles, recycling. (Federal Funds)

Reno—96-78 U-1408-01—K-96 and 4th Street in Hutchinson, traffic signal. (Federal Funds)

Reno—78 U-1409-01—Intersection of 4th and Poplar in Hutchinson, traffic signal. (Federal Funds)

Stafford—93 C-2939-01—County road, 3.0 miles north and 0.2 mile east of St. John, then east, 0.3 mile, grading and bridge. (Federal Funds)

District Six—Southwest

Ford—54-29 K-3191-01—U.S. 54, from the east city limits of Bucklin, east to the Ford-Kiowa county line, 4.2 miles, grading, surfacing and bridge. (Federal Funds)

Ford—54-29 K-5063-01—U.S. 54, beginning 284 feet east of the west city limits then northeast to the east city limits of Bucklin, 0.6 mile, milling and overlay. (State Funds)

Grant—25-34 K-4006-01—K-25, South Fork Cimarron River bridge 7, 2.6 miles north of the Stevens-Grant county line, bridge widening. (State Funds)

Kearny—50-47 K-3207-01—U.S. 50, from the east city limits of Lakin, east to the Kearny-Finney county line, 9.5 miles, surfacing and bridge. (State Funds)

Meade—60 C-2915-01—County road, 16.5 miles south and 6.5 miles east of Meade, grading and bridge. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Michael L. Johnston
Secretary of Transportation

Doc. No. 012487

State of Kansas

Office of Judicial Administration

Court of Appeals Docket

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center
Topeka, Kansas

Tuesday, September 29, 1992

Before Briscoe, C.J.; Larson and Pierron, JJ.

9:30 a.m.

Case No.	Case Name	Attorneys	County
67,779	James Lay, Appellant,	William J. Pauzauskie Melinda Sanderson	Shawnee
	v.		
	ATSF Railway Co., Appellee.	Nola Wright Viola	
68,117	Eva Havens, Appellee,	William E. Enright	Shawnee
	v.		
	Board of Adult Care Home Administrators, Appellant.	Marvin Stottlemire	

10:30 a.m.

68,137	Kansans for Improvement of Nursing Homes, Appellant,	Margaret Farley	Shawnee
	v.		
	Kansas Department of Health and Environment, Appellee.	Cedrick B. Gardner Attorney General	

Summary Calendar—No Oral Argument

67,403	State of Kansas, Appellee,	County Attorney Attorney General	Harvey
	v.		
	Pedro Torres, Appellant.	Hazel Haupt	
67,369	State of Kansas, Appellee,	County Attorney Attorney General	Nemaha
	v.		
	Tracy Black, Appellant.	Lucille Marino	

Before Briscoe, C.J., Pierron, J.; and M. Kay Royse,
District Judge, assigned.

1:30 p.m.

67,418	In the Matter of the Estate of Vincent Joseph, Bahm, deceased.	Donald J. Cooper Richard Harmon Daniel B. Bailey	Shawnee
67,837	Bernard and Della Halloran, Appellees,	Lynn D. Lauver	Shawnee
	v.		
	North Plaza State Bank, Appellant.	Charles N. Henson David L. Miller	

2:30 p.m.

67,304	Marion Fusaro, Appellant,	Eugene W. Hiatt David J. Holdsworth	Shawnee
	v.		
	First Family Mortgage, et al., Appellees.	Gerald L. Goodell Steven Johnson	

(continued)

Summary Calendar—No Oral Argument

67,568 67,569	In the Interest of L.S.	G. Ronald Bates Jr. William E. Pray County Attorney Michael J. Waite	Leavenworth
68,132	Harold Holdredge, Appellee, v. Farmers Coop. Association, Appellant.	James I. Chappell Sean D. Ervin Nancy D. Walker	Douglas

Wednesday, September 30, 1992

Before Briscoe, C.J.; Larson, J.; and M. Kay Royse,
District Judge, assigned.

9:30 a.m.

Case No.	Case Name	Attorneys	County
67,559	State of Kansas, Appellee, v. Carla S. Grogger, Appellant.	District Attorney Attorney General Jessica R. Kunen	Shawnee
67,083	State of Kansas, Appellee, v. Claude Percy, Appellant.	District Attorney Attorney General Hazel Haupt	Shawnee

10:30 a.m.

67,584	Department of Corrections, Appellant, v. Commission on Civil Rights, <i>et al.</i> , Appellees.	Timothy G. Madden Roger W. Lovett Judy Fowler	Shawnee
66,873	In the Interest of E.K. and L.K.	Jeff Elder County Attorney Stanley R. Ausemus Darrell D. Meyer	Lyon

Summary Calendar—No Oral Argument

67,564	State of Kansas, Appellee, v. Lowell V. VanFossen, Appellant.	County Attorney Attorney General Wendy Slayton	Morris
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Before Larson, P.J.; Pierron, J.; and M. Kay Royse,
District Judge, assigned.

1:00 p.m.

67,963	Carol Foveaux, Appellee, v. Cassandra Smith, Appellee, and Colonial Insurance Co. of California, Appellant.	Danton C. Hejtmanek John F. Stites Paul Hasty Jr.	Riley
67,896	State of Kansas, Appellee, v. Ronald E. Mulanax, Appellant.	District Attorney Attorney General Katherine Phelps-Griffin	Shawnee

Summary Calendar—No Oral Argument

67,343	State of Kansas, Appellee, v. Francisco Lopez, Jr., Appellant.	County Attorney Attorney General Kathleen Levy	Franklin
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67,815	Raymond Miller, Appellant,	Steven M. Dickson James E. Benfer	Shawnee
	v.		
67,147	Goodyear Tire, <i>et al.</i> , Appellees. State of Kansas, Appellee,	Matthew S. Crawley County Attorney Attorney General	Saline
	v.		
	Anthony James Holt, Appellant.	Rebecca Woodman	

**Kansas Court of Appeals
Division 1, Courtroom 300, Johnson County Courthouse
Olathe, Kansas**

Tuesday, September 29, 1992

Before Gernon, P.J.; Davis and Rulon, JJ.

10:30 a.m.

Case No.	Case Name	Attorneys	County
67,128	Steven Laterra, <i>et al.</i> , Appellee,	Mark A. Johnson	Johnson
	v.		
	Steven Treaster, Special Admin., Appellant.	Leonard R. Frischer	
67,763 68,003	Hoelting Enterprises, Appellant,	Thomas W. Harris	Johnson
	v.		
67,235	Trailridge Inv., <i>et al.</i> , Appellees. Gerald Henderson, Appellant,	Steven R. Anderson James L. Crabtree Anite Porte Robb	Johnson
	v.		
	Lenly Hopkins Jr., M.D., Appellee.	James D. Griffin	

Summary Calendar—No Oral Argument

67,701	In the Matter of C.D.C.	Deborah D. Cox District Attorney	Wyandotte
67,162	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Willie T. Franklin, Appellant.	Thomas Jacquinet	

**Before Gernon, P.J.; Rulon, J.; and Richard W. Wahl,
District Judge Retired, assigned.**

1:30 p.m.

67,693	Richard Dickerson, Appellee,	Vernon D. Grassie	Crawford
	v.		
	Kansas Dept. of Revenue, Appellant.	Brian Cox	
67,594	Rae Ann Sramek, Appellee,	David N. Sutton Randel L. Messner	Crawford
	v.		
	Paul Louis Sramek, Appellant.	Robert S. Tomassi	

2:30 p.m.

67,516	Polly Kellerman, Appellant,	Michael Redmon	Wyandotte
	v.		
	University of Kansas Medical Center, <i>et al.</i> , Appellees.	Michael E. Callen	
67,634	Thomas Douglas, Appellant,	Patricia Lear-Johnson	Johnson
	v.		
	Jerry Lamberd Roofing, <i>et al.</i> , Appellees.	Joseph R. Ebbert	

(continued)

Summary Calendar—No Oral Argument

67,695	State of Kansas, Appellee, v. Lester B. Dean, Appellant.	District Attorney Attorney General Rebecca Woodman	Johnson
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Wednesday, September 30, 1992

Before Gernon, P.J.; Davis J.; and Richard W. Wahl,
District Judge Retired, assigned.

9:00 a.m.

Case No.	Case Name	Attorneys	County
66,959 67,651	Cathy Miner, Appellee, v. Farm Bureau Mutual Insurance, Appellant.	Richard P. Senecal	Atchison
67,435	In the Matter of the Marriage of Gail Vano Sherron and James F. Vano.	Larry R. Mears Larry R. Rute Micheline Burger	Johnson
10:00 a.m.			
67,245	State of Kansas, Appellee, v. Michael E. McConnell, Appellant.	District Attorney Attorney General Benjamin C. Wood	Johnson
67,605	State of Kansas, Appellee, v. Richard David Gorham, Appellant.	District Attorney Attorney General Carl E. Cornwell	Wyandotte
67,223	State of Kansas, Appellee, v. Rodney Eugene Turner, Appellant.	District Attorney Attorney General Rick Kittel	Wyandotte

Before Davis, P.J.; Rulon, J.; and Richard W. Wahl,
District Judge Retired, assigned.

Summary Calendar—No Oral Argument

67,439	City of Overland Park, Appellant, v. Carl Strothman, Appellee.	David R. Gilman	Johnson
67,181	State of Kansas, Appellee, v. James Ritchie Jr., Appellant.	Sue A. Dickey District Attorney Attorney General Reid Nelson	Johnson
66,835	State of Kansas, Appellee, v. Michael David Russell, Appellant.	District Attorney Attorney General Wendy Slayton	Wyandotte
67,533	State of Kansas, Appellee, v. Tim E. Cooper, Appellant.	District Attorney Attorney General Thomas Jacquinot	Johnson
67,272	State of Kansas, Appellee, v. Robert S. Payton, Appellant.	District Attorney Attorney General Benjamin C. Wood	Wyandotte

Kansas Court of Appeals
Court of Appeals Courtroom, 3rd Floor, Old Sedgwick County Courthouse
510 N. Main, Wichita, Kansas

Tuesday, September 29, 1992
Before Lewis, P.J.; Brazil and Elliott, JJ.

9:00 a.m.

Case No.	Case Name	Attorneys	County
67,457	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Wanda Bell, Appellant.	Reid Nelson	
67,182	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Jerome L. Tarver, Appellant.	Patrick Lawless	

10:00 a.m.

67,534	Kimberly Brown, Appellant,	Arthur S. Chalmers	Sedgwick
	v.		
	USAA Casualty Insurance Co., Appellee.	Gerald W. Scott	
68,020	Sedgwick County Board of County Commissioners, Appellant,	Clarence D. Holeman	Sedgwick
	v.		
	Magnum Land Corp., <i>et al.</i> , Appellees.	Benjamin Foster Walter C. Williamson	

Summary Calendar—No Oral Argument

67,345	In the Matter of the Marriage of Susan Bolte and Alfred Bolte.	Ward E. Loyd John P. Wheeler Jr.	Wichita
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Before Lewis, P.J.; Elliott, J.; and Stephen D. Hill,
District Judge, assigned.

1:00 p.m.

67,473	State of Kansas, Appellee,	County Attorney Attorney General	Finney
	v.		
	Janette G. Cramer, Appellant.	Kristine Paredes	
67,940	State of Kansas, Appellant,	County Attorney Attorney General	Finney
	v.		
	Donna Rochelle Frizzell, Appellee.	Robert R. Johnson	

2:00 p.m.

67,466	Hanson State Bank, Appellant,	Michael A. Doll	Hodgeman
	v.		
	Michael Reinert, <i>et al.</i> , Appellees.	Larry D. Tittel	
67,297	Paul Neufeld, Appellant,	John E. Fierro	Ford
	v.		
	Right Coop. Association, Appellee.	Philip Ridenour	

Summary Calendar—No Oral Argument

68,077	Howard Solley, Appellee,	Chris O. Concannon	Seward
	v.		
	Phoenix Trucking Co., <i>et al.</i> , Appellants.	John E. Fierro	

(continued)

67,431	A.M. Stauth, <i>et al.</i> , Appellants, v. William Brown, <i>et al.</i> , Appellees.	David H. Snapp Max E. Estes	Ford
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Wednesday, September 30, 1992

Before Lewis, P.J.; Brazil, J.; and Stephen D. Hill,
District Judge, assigned.

9:00 a.m.

Case No.	Case Name	Attorneys	County
67,607	Wintz Construction Inc., Appellee, v. Resthaven Gardens of Memory, <i>et al.</i> , Appellants.	Richard V. Foote Alan L. Rupe Sharon A. Self	Sedgwick
67,796	Jerrye Akers, Appellant, v. Marion Allaire, Appellee.	Richard V. Foote Stan R. Singleton	Sedgwick

10:00 a.m.

67,376	In the Matter of the Marriage of Glen R. Patton and Jill A. Patton.	Gary L. Ayers Stephen J. Blaylock	Sedgwick
67,331	Charles N. Newcomer, Appellant, v. State of Kansas, Appellee.	Elizabeth Sterns Attorney General County Attorney	Butler

Summary Calendar—No Oral Argument

67,529	State of Kansas, Appellee, v. Larry C. Horn, Appellant.	Debra Byrd Wagner Attorney General Patrick Lawless	Sedgwick
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Before Elliott, P.J.; Brazil, J.; and Stephen D. Hill,
District Judge, assigned.

1:00 p.m.

67,974	National Helium Corp., Inc., Appellee, v. Seward County, <i>et al.</i> , Appellants.	James G. Flaherty Tom R. Smith	Seward
67,179	Timothy Monasmith, Appellant, v. State of Kansas, Appellee.	Thomas Jacquinot Attorney General County Attorney	Cowley
67,380	In the Matter of D.E.H.	Dennis D. Webb Debra Byrd Wagner	Sedgwick

Summary Calendar—No Oral Argument

67,155	State of Kansas, Appellee, v. Keith J. Clark, Appellant.	Debra Byrd Wagner Attorney General Reid Nelson	Sedgwick
67,472	State of Kansas, Appellee, v. Carlos Corpus, Appellant.	County Attorney Attorney General Thomas Jacquinot	Finney

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 012470

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, September 28, 1992

29170

Department of Transportation—Automotive lubricants, various locations

29171

Department of Health and Environment—Water test kits (bacteria)

29180

University of Kansas Medical Center—Exchange service deionizer systems

29185

Emporia State University—Elevator maintenance service

93740

Department of Social and Rehabilitation Services—Closed circuit magnification systems, Chanute

93741

Larned Correctional Mental Health Facility—Chain link fencing and materials

93797

University of Kansas Medical Center—Furnish and install window materials

93799

University of Kansas Medical Center—Furnish and install air handling unit

93814

Department of Social and Rehabilitation Services—Vending machines, various locations

93826

Adjutant General's Department—Furnish and install roof materials

Tuesday, September 29, 1992

29178

University of Kansas Medical Center—November (1992) meat products

29179

University of Kansas—November (1992) meat products

29181

Statewide—November (1992) meat products

29184

Kansas State University—4 megabyte memory modules for SUN SPARCSTATION IPC workstations

29186

Kansas State University—2.0 Gbyte SCSI SUN compatible disk drives

93757

University of Kansas Medical Center—Surgical instruments

93758

Osawatomie State Hospital—Copy system

93759

Kansas State University—Soybean meal (hi-pro) and corn

93760

Kansas State University—Spectrophotometer

93761

Kansas State University—Drag conveyor repair

93762

Department of Transportation—Screen printing frames

93769

University of Kansas—External dual-drive SCSI disk systems

93808

Hutchinson Correctional Facility—Floor mixers (80 quart)

93817

Department of Transportation—Aggregate, various locations

93819

Kansas State University—Corn

Wednesday, September 30, 1992

A-7038

Kansas Judicial Center—A.D.A. building modifications

93774

Division of Printing—Commodity offset recycled

93784

Kansas State University—Biological incubator and plant growth chamber

93785

University of Kansas Medical Center—Dialyzer reprocessing system

Thursday, October 1, 1992

A-6820

University of Kansas—Additional ventilation (Phase 2), Haworth Hall

A-6958

Topeka State Hospital—Reroof Boisen Building

A-6992

Youth Center at Topeka—Asbestos abatement project, old hay barn

A-7003

Department of Social and Rehabilitation Services—Replace section of sanitary sewer, Chanute

93790

Kansas State University—Plumbing fixtures

93791

University of Kansas Medical Center—Sleep assessment system (polysomnograph)

(continued)

93798

Kansas State University—Toilet partitions

Friday, October 2, 1992

93796

Wichita State University—Microcomputers 486/
33MHZ

93810

Department of Human Resources—Mainframe
remote printing software

93811

Board of Indigents' Defense Services—LAN

93816

Emporia State University—Resurface tennis courts

93818

Emporia State University—Furnish and install
entrance doors

93825

Kansas State University—Furnish and install roof
materials

Thursday, October 8, 1992

A-6872

University of Kansas Medical Center—Patient care
renovation, Wichita

Request for Proposals

Monday, September 28, 1992

29182

Health care computer software for Kansas State
University

Doc. No. 012485

Jack R. Shipman
Director of Purchases

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, commencing at 9:30 a.m. unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for September 29, 1992

Application for Certificate of Convenience
and Necessity:

A-1 Metro Movers of) Docket No. 182,925 M
Kansas, Inc.)
2555 S. Custer)
Wichita, KS 67217) MC ID No. 144107

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Household goods, office equipment and fixtures, business machines, telephone equipment, property of stores, offices, museums, institutions and hospitals, articles of art, displays and exhibits, and general commodities (except commodities in bulk and hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience
and Necessity:

Beltmann North American) Docket No. 182,923 M
Co., Inc.)
14300 W. 97th Terrace)
Lenexa, KS 66215) MC ID No. 144106

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Household goods,

Between all points and places in the state of Kansas.

Application for Extension of Certificate of
Convenience and Necessity:

Crouse Cartage Co.) Docket No. 157,027 M
P.O. Box 586)
Carroll, IA 51401) MC ID No. 107081

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

General commodities (except household goods, classes A and B explosives and commodities in bulk),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience
and Necessity:

Eldorado Carriers, Inc.) Docket No. 182,924 M
1652 S. Winona Court)
Denver, CO 80219) MC ID No. 135395

Applicant's Attorney: Julieann Kimball Nespor, 1775 Sherman St., Suite 1500, Denver, CO 80203

General commodities (except classes A and B explosives and hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience
and Necessity:

Thunder (Nanamakee)) Docket No. 182,922 M
Incorporated,)
dba Translease)
P.O. Box 2308)
Garden City, KS 67846) MC ID No. 137438

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

General commodities (except hazardous materials, household goods and commodities in bulk),

Between all points in Kansas.

Application for Certificate of Convenience and Necessity:

Bob Trimpe, dba) Docket No. 182,926 M
 Bob Trimpe Trucking)
 P.O. Box 741)
 Cimarron, KS 67835) MC ID No. 144108
 Applicant's Attorney: William Barker, 3401 Harrison,
 Topeka, KS 66611

General commodities (except hazardous materials and household goods),

Between all points and places in Kansas.

Applications set for October 6, 1992

Application for Extension of Certificate of Convenience and Necessity:

Bullseye Roustabout Service, Inc.) Docket No. 162,635 M
 North Highway 281)
 Pratt, KS 67124) MC ID No. 125496

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Crude oil, used in and for production, processing, treating, salvage, construction and lease road purposes, in bulk, fresh water and salt water,

Between all points and places in Pratt, Reno, Barber, Kingman, Stafford, Edwards, Barton, Pawnee, Kiowa, Ford, Clark, Comanche, Harper, Finney, Gray and Meade counties, Kansas.

Oilfield equipment, materials, supplies and machinery and equipment, materials, supplies and machinery utilized in oil refining and pipe stringing,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Workman Transport, Inc.) Docket No. 182,927 M
 P.O. Box 153)
 Concordia, KS 66901) MC ID No. 144109

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

Grain, hay, feed, feed ingredients, salt, seeds, fertilizer (including anhydrous ammonia), building and construction materials, fencing materials, machinery, gasoline, gasohol, diesel fuel, aviation fuel, propane and alcohol,

Between all points and places in the state of Kansas.

Don Carlile
 Administrator
 Transportation Division

Doc. No. 012483

State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 or FAX (913) 864-3454 for additional information.

September 28, 1992

RFQ 93 0302

Radio-isotope laboratory hoods, work surfaces and cabinets

RFQ 93 0303

RNA/DNA synthesizer

Gene Puckett, L.C.P.M.
 Director of Purchases

Doc. No. 012489

(Published in the Kansas Register, September 17, 1992.)

Notice of Call for Redemption to the holders of

City of Satanta, Kansas

General Obligation Major Trafficway Bonds
 Series A, 1985, Dated June 1, 1985

Notice is hereby given that pursuant to the provisions of Ordinance 255 of the city of Satanta, Haskell County, Kansas (the issuer), that a portion of the above mentioned bonds in the amount of \$40,000, maturing November 1, 1995, have been and hereby are called for redemption and payment on November 1, 1992 (the redemption date), at the principal office of the Kansas State Treasurer (paying agent), Topeka, Kansas.

On the redemption date there shall become due and payable, upon the presentation and surrender of each such refunded bond, the redemption price thereof equal to 100 percent of the principal amount thereof (PAR), without premium, together with interest accrued to the redemption date. Interest shall cease to accrue on the redeemed bonds so called for redemption on and after the redemption date provided such funds for redemption are on deposit with the paying agent.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 20 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the Series A, 1985 Bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated September 1, 1992.

City of Satanta, Kansas
 By: Kansas State Treasurer

Doc. No. 012472

(Published in the Kansas Register, September 17, 1992.)

Notice of Bond Sale
\$550,000
of
The City of DeSoto
Johnson County
State of Kansas
General Obligation Improvement Bonds
Series 1992
(general obligations payable from
unlimited ad valorem taxes)

Sealed Bids

The city of DeSoto, Johnson County, Kansas, will receive sealed bids at City Hall, DeSoto, KS 66018, until 7:30 p.m. local time on September 24, 1992, for \$550,000 par value General Obligation Improvement Bonds, Series 1992 of the city, at which time and place such bids shall be publicly opened. Bids shall be submitted on the official bid form furnished by the city; shall be addressed to the city at the above address to the attention of JoAnn Dinger, City Clerk; and shall be marked "Bond Bid." All bids must state the total interest cost of the bid and the average annual interest rate, certified by the bidder to be correct, and the city will be entitled to rely on the certificate of correctness. Bids must be accompanied by a certified or a cashier's check equal to 2 percent of the total amount of the bid and shall be payable to the city of DeSoto, Kansas. In the event a bidder whose bid is accepted shall fail to carry out his contract of purchase, said deposit shall be retained by the city as liquidated damages. The checks of unsuccessful bidders will be returned promptly. Sealed bids for the bonds shall be opened publicly and only at the time and place specified in this notice. The city reserves the right to reject any and all of the bids, to waive any irregularities, or to refuse to issue, sell and deliver the bonds. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest net interest cost to the city, and the net interest cost will be determined by deducting any amount of the premium paid for the aggregate amount of interest upon all of the bonds from their date until their respective maturities.

The Bonds

The bonds initially issued will be dated September 15, 1992, and shall mature on September 1 in each of the years and in the amounts set forth below. The bonds shall consist of fully registered certificated bonds, in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of the bonds maturing in any year. Interest shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 1993. The principal of the bonds shall be payable in lawful money of the United States of America at the principal office of the Kansas State Treasurer (the paying agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds shall be payable in lawful money of the

United States of America by check or draft of the paying agent to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the calendar month next preceding the interest payment date (the record dates). The fees of the bond registrar for the registration and transfer of the bonds shall be paid by the city. The bonds will mature serially in accordance with the following schedule:

Maturity Date September 1	Principal Amount
1993	\$45,000
1994	\$45,000
1995	\$50,000
1996	\$50,000
1997	\$55,000
1998	\$55,000
1999	\$60,000
2000	\$60,000
2001	\$65,000
2002	\$65,000

The bonds will constitute general obligations of the city payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable, tangible property within the city. The bonds are being issued for the purpose of paying a portion of the costs of certain street and sanitary sewer improvements within the city pursuant to K.S.A. 12-6A01 *et seq.* and 10-101 *et seq.*, as amended.

Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing on September 1, 2000, and thereafter will be subject to redemption and payment prior to maturity on September 1, 1999, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at par, plus accrued interest, if any, to the date of redemption.

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States certified mail to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. Thereafter the paying agent and bond registrar will notify the owners of the bonds of the city's redemption call by United States mail, postage prepaid. If any bond is called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which

such call is made, providing funds are available for its payment at the price herein stated.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the city's failure to comply with such requirement, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations in the calculation of alternative minimum taxable income, with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on such obligations. With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds. The city does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Bid Conditions

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidder subject to the following condition: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be an even multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. The difference between the highest and lowest interest rate specified in any bid shall not exceed 2 percent. No interest rate shall exceed the maximum interest rate allowed by Kansas law, said rate being 2 percent above the "Twenty Bond Index" of tax exempt municipal bonds published by *Credit Markets* (formerly *The Weekly Bond Buyer*) in New York, on the Monday next preceding the day on which the bonds are sold, and no bids of less than par plus accrued interest will be considered. Bids for less than the entire issue of bonds will not be considered.

Delivery and Payment

The bonds, duly printed, executed and registered will be furnished and paid for by the city, and the bonds will be sold subject to the approving opinion of Watson, Ess, Marshall & Enggas of Olathe, Kansas, bond counsel, whose opinion will be paid for by the city. The number, denomination of bonds and names of the initial registered owners shall be submitted in writing by the successful bidder to the bond registrar not later than September 30, 1992. The purchaser will be furnished with a complete transcript of proceedings, evidencing authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds shall be made in funds which are immediately available for use by the city. Delivery of the bonds will be made to the successful bidder on or about October 8, 1992, at any bank in the state of Kansas or Kansas City, Missouri, at the expense of the city; delivery elsewhere will be made at the expense of the purchaser.

Assessed Valuation and Indebtedness

The equalized assessed valuation of taxable tangible property within the city for 1992 is \$10,338,481. The total general obligation bonded indebtedness of the city, including sanitary sewer bonded indebtedness not subject to the bonded debt limit of K.S.A. 10-309, is \$245,000. Additionally, the city has outstanding temporary notes for various benefit districts in the amount of \$1,303,448. Additional copies of this notice of bond sale or further information may be received from the city clerk.

Additional Information

A complete notice of bond sale, preliminary official statement, and bid forms approved by the city will be mailed to all interested parties. Additional information regarding the bonds may be obtained from the financial advisor, Piper, Jaffray Inc., 2850 City Center Square, 1100 Main, Kansas City, MO 64105, (816) 221-4311; and the City of DeSoto, Kansas, 33150 W. 83rd, DeSoto, KS 66018, (913) 585-1182, attention JoAnn Dinger, City Clerk. The financial advisor will not be submitting a bid or participating in a group submitting a bid for the purchase of the bonds.

Dated September 17, 1992.

JoAnn Dinger, City Clerk
City of DeSoto, Kansas
Johnson County
State of Kansas

Doc. No. 012486

(Published in the Kansas Register, September 17, 1992.)

Notice of Bond Sale
\$250,000
City of Holton, Kansas
General Obligation
Internal Improvement Bonds
Series 1992

Sealed Bids

Sealed bids for the purchase of \$250,000 principal amount of General Obligation Internal Improvement Bonds, Series 1992, of the city hereinafter described, will be received by the undersigned, city clerk of the city of Holton, Kansas, on behalf of the governing body of the city at City Hall, 430 Pennsylvania Ave., Holton, KS 66436, until 5 p.m. C.D.T. on Thursday, September 24, 1992. All bids will be publicly opened and read at said time and place and will be acted upon by the city immediately thereafter. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 1, 1992, and will become due serially on September 1 in the years as follows:

Year	Principal Amount
\$20,000	1995
25,000	1996
25,000	1997
25,000	1998
25,000	1999
30,000	2000
30,000	2001
35,000	2002
35,000	2003

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1994.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar). The principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

The city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also

pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing on September 1, 2001, and thereafter will be subject to redemption and payment prior to maturity on September 1, 2000, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States certified mail to the paying agent and bond registrar, and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. Thereafter the paying agent and bond registrar will notify the owners of the bonds of the city's redemption call by United States mail, postage prepaid. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. No interest rate shall exceed index of treasury bonds published by *The Bond Buyer*, successor to *MuniWeek*, in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the city during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid. Each bid shall also specify the average annual net interest rate to the city on the

basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the city shall determine which bid, if any, shall be accepted, and its determination shall be final.

Security for the Bonds

The bonds will be general obligations of the city payable as to both principal and interest from ad valorem taxes which may be levied, without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the city.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the city's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations in the calculation of alternative minimum taxable income with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on

such obligations. With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds. The city *does* intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is excludable from gross income for federal income tax purposes. Interest on the bonds will also be excludable from the computation of Kansas adjusted gross income.

Delivery and Payment

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about October 14, 1992, at such bank or trust company in the state of Kansas or greater Kansas City, Missouri, metropolitan area as may be specified by the successful bidder. Delivery elsewhere will be at the bidder's expense. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the city. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city and bond registrar not later than 5 p.m. C.D.T. on October 2, 1992. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 5 p.m. C.D.T. on October 2, 1992, a certificate acceptable to the city's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering

(continued)

prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$5,000, payable to the order of the city to secure the city from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the city until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall, at the option of the city, be returned to the successful bidder or deducted from the purchase price. If a bid is accepted but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the city, and the city reserves the right to pursue any consequential damages as a result of such default.

CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

Bid Forms

All bids must be made on forms which may be procured from the city clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The city reserves the right to waive irregularities and to reject any or all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for the Purchase of General Obligations Bonds." Bids may be submitted by mail or delivered in person to the undersigned at city hall and must be received by the undersigned prior to 5 p.m. C.D.T. on Thursday, September 24, 1992.

Date and Delivery of Preliminary and Final Official Statement

The city has authorized the preparation and disbursement of a preliminary official state containing information relating to the bonds. The preliminary official statement comprises the final official statement required by Rule 15c2-12 of the Securities and Exchange Commission.

The preliminary official statement, when amended to include the interest rates specified by the purchaser and the price or yield at which the purchaser will reoffer the bonds to the public, together with any other information required by law, will constitute a "Final Official Statement" with respect to the bonds as that term is defined in Rule 15c2-12. No more than seven business days after the date of the sale, the city will provide without cost to the purchaser a reasonable number of printed copies of the final official statement and further copies, if desired, will be made available at the purchaser's expense. If the sale of the bonds are awarded to a syndicate, the city will designate the senior managing purchaser of the syndicate as its agent for purposes of distributing copies of the final official statement to each participating purchaser. Any purchaser executing and delivering a bid form with respect to the bonds agrees thereby that if the bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating purchasers for the purpose of assuring the receipt and distribution by each such participating purchaser of the final official statement.

The city will deliver to the purchaser on the date of delivery of the bonds a certificate executed by the mayor and the city clerk to the effect that the final official statement, as of the date of delivery of the bonds, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in the light of the circumstances in which they are made, not misleading.

Copies of the city's preliminary official statement relating to the bonds may be obtained from the city clerk or the city's financial advisor, George K. Baum & Company, 120 W. 12th, Kansas City, MO 64105, (816) 474-1100.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the city for the year 1991 is \$11,355,589. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$1,412,890.82. In accordance with the financial advisor's agreement with the city, the financial advisor *will* be submitting a bid or participating in a group submitting a bid for the purchase of the bonds.

Dated September 17, 1992.

City of Holton, Kansas
Pat McClintock
City Clerk
City Hall
430 Pennsylvania Ave.
Holton, KS 66436
(913) 364-2721

Doc. No. 012490

(Published in the Kansas Register, September 17, 1992.)

Summary Notice of Bond Sale
City of Lawrence, Kansas
\$1,535,000* General Obligation Bonds
Series N 1992
and
\$665,000* Temporary Notes
Series 1992-A
of the City of Lawrence, Kansas
(general obligations payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale and preliminary official statement, sealed bids will be received by the city clerk of the city of Lawrence, Kansas, on behalf of the governing body at City Hall, 6 E. 6th, Lawrence, KS 66044, until 11 a.m. Central Time on Tuesday, September 29, 1992, for the purchase of \$1,535,000* principal amount of General Obligation Bonds, Series N 1992, and \$665,000* Temporary Notes, Series 1992-A. No bid of less than the entire par value of the bonds or notes, as applicable, and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 1, 1992, and will become due on September 1 in the years as follows:

Year	Principal Amount *
1993	\$120,000
1994	125,000
1995	130,000
1996	140,000
1997	145,000
1998	155,000
1999	165,000
2000	175,000
2001	185,000
2002	195,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1993.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. The notes will be dated October 1, 1992, and will become due on September 1, 1993. The notes will bear interest from the date thereof at rates to be de-

termined when the notes are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1993.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas, for the bonds, and the city treasurer for the notes.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of 2 percent of the principal amount of the bonds, if the bid is for the bonds, and 2 percent of the principal amount of the notes, if the bid is for the notes.

Delivery

The city will pay for printing the bonds and the notes and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 30 days after the date of sale at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1991 is \$307,502,658. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds and notes being sold, is \$26,830,000.

Approval of Bonds

The bonds and notes will be sold subject to the legal opinion of Gilmore & Bell, P.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds/notes will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds/notes are delivered.

Additional Information

Additional information regarding the bonds and notes may be obtained from the city clerk, (913) 832-3000, or from Gilmore & Bell, P.C., Bond Counsel, 6800 College Blvd., Financial Plaza II, Suite 150, Overland Park, KS 66211-1533, (913) 661-0001.

*Subject to change

Dated September 10, 1992.

City of Lawrence, Kansas
 By: Raymond J. Hummert
 Lawrence City Clerk
 Lawrence City Hall
 6 E. 6th
 Lawrence, KS 66044
 (913) 832-3000

Doc. No. 012491

(Published in the Kansas Register, September 17, 1992.)

**Department of Transportation
\$125,000,000***

Highway Revenue Bonds, Series 1992A

Sealed bids will be received by the Kansas Department of Transportation at the office of the Secretary of Transportation, seventh floor conference room, Docking State Office Building, 915 S.W. Harrison, Topeka, KS 66612 until 10 a.m. Central Time on Wednesday, September 23, 1992, at which time and place all bids will be publicly opened and read for the purchase of the above bonds. *The sale on September 23, 1992, may be postponed upon no less than 24 hours notice given prior to the time bids are to be received and as communicated by the department through Munifacts News Wire. If such a postponement occurs, a public sale will be held at the hour and place set forth above on such date as communicated via the Munifacts News Wire, upon 48 hours notice, as described in the notice of sale.* The Series 1992A Bonds, dated September 15, 1992, will be in the denominations of \$5,000 and integral multiples of \$5,000 and will mature in the following years and in the following amounts respectively:

Bid Maturity Schedule

September 1	Principal Amount*
1996	\$ 4,585,000
1997	4,810,000
1998	5,055,000
1999	5,325,000
2000	5,610,000
2001	5,920,000
2002	6,250,000
2003	6,605,000
2004	6,990,000
2005	7,405,000
2006	7,850,000
2007	8,335,000
2008	8,855,000
2009	9,415,000
2010	10,010,000
2011	10,650,000
2012	11,330,000

The department reserves the right to change the bid maturity schedule as set forth in the notice of sale.

Interest is payable initially on March 1, 1993, and semiannually thereafter in each year on March 1 and September 1. The Series 1992A Bonds maturing on and before September 2, 2002, are not subject to redemption and payment prior to maturity. The Series 1992A Bonds maturing on or after September 1, 2003, are subject to redemption prior to maturity, as provided in the notice of sale. No bid for less than 98 percent of the par value of the aggregate principal amount of Series 1992A Bonds, exclusive of accrued interest, will be considered. Premium bids are permitted. Bidders may designate two or more of the consecutive serial maturities as one or two (but not more than two) term bond maturities equal in aggregate principal amount to, and with mandatory sinking fund redemption cor-

responding to, such designated serial maturities. Interest rates bid shall be in multiples of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. The interest rate specified for each maturity shall not be less than the interest rate specified for any earlier maturity, as further provided in the notice of sale. The Series 1992A Bonds will be awarded to the bidder offering to purchase the Series 1992A Bonds for the lowest true interest cost as set forth in the notice of sale. The approving opinion of Burke, Williams, Sorensen & Gaar will be furnished without cost to the successful bidder.

Additional information, including the preliminary official statement, notice of sale and bid form may be obtained from the Kansas Department of Transportation, Reed Davis, Docking State Office Building, 7th Floor, Topeka, KS 66612, (913) 296-3597; or from the department's financial advisor, Public Financial Management, Inc., Christine Hein or Dan Hartman, Two Logan Square, Suite 1600, 18th and Arch Streets, Philadelphia, PA 19103, (215) 567-6100.

* Preliminary, subject to change

Michael L. Johnston
Secretary of Transportation

Doc. No. 012484

(Published in the Kansas Register, September 17, 1992.)

**Summary Notice of Bond Sale
\$205,000**

**City of Willowbrook, Kansas
General Obligation Internal Improvements Bonds
(general obligation bonds payable from
unlimited ad valorem taxes)**

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated September 14, 1992, of the city of Willowbrook, Kansas, in connection with the city's General Obligation Internal Improvement Bonds hereinafter described, sealed, written bids shall be received on behalf of the city at the First National Bank of Hutchinson, Corporate Trust Department, 1 N. Main, P.O. Box 913, Hutchinson, KS 67504-0913, until 5 p.m. C.D.T. on Monday, September 28, 1992, for the purchase of the bonds. All bids shall be publicly opened, read aloud and considered by the city's governing body on said date and at said time and shall be immediately thereafter acted upon by the governing body of the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form which has been prepared for the public bidding on the bonds, and which may be obtained from the city or from Hinkle, Eberhart & Elkouri, the city's bond counsel. Bids may be submitted by mail or may be delivered in person, and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check

drawn on a bank located within the United States and made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$205,000. The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of October 1, 1992. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. The bonds are not subject to redemption prior to their maturities.

Interest on the bonds shall be payable semiannually on April 1 and October 1 in each year, commencing October 1, 1992, and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 10,000	10/1/93
10,000	10/1/94
10,000	10/1/95
10,000	10/1/96
10,000	10/1/97
10,000	10/1/98
15,000	10/1/99
15,000	10/1/00
15,000	10/1/01
15,000	10/1/02
15,000	10/1/03
15,000	10/1/04
15,000	10/1/05
20,000	10/1/06
20,000	10/1/07

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about October 5, 1992, at such bank or trust company

or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The city's 1991 assessed valuation is as follows:

Assessed valuation of taxable tangible property	\$ 733,315
Motor vehicle valuation.....	27,068
Equalized assessed tangible valuation for computation of bonded debt limitations	<u>\$ 760,383</u>

The city has no outstanding general obligation bonded indebtedness at October 1, 1992, not including the bonds described herein.

Additional Information

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form for the bonds, all of which may be obtained from the undersigned or from the city's bond counsel, Hinkle, Eberhart & Elkouri, 2000 Epic Center, 301 N. Main, Wichita, KS 67202, (316) 267-2000.

Richard Parker, Mayor
City Hall
Willowbrook, KS 67764
(316) 862-8804

Doc. No. 012477

State of Kansas

The Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-21. "Birthday Game" Retailer incentive.

(a) During the period beginning August 31, 1992, and ending 5:00 p.m., October 30, 1992, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery shall also offer, for those retailers electing to participate, the "100,000 Birthday Game" retailer incentive promotion. It will be held in conjunction with the Kansas lottery's "Birthday Game" (K.A.R. 111-4-437 through 111-4-440) as follows:

(b) With each pack of "Birthday Game" tickets ordered, a retailer will receive one entry card. Entry cards will be filled out by a lottery employee upon placement of a ticket order by a retailer, and entered into the

(continued)

random drawing. All orders must be placed by 5:00 p.m., October 30, 1992, to be eligible for the drawing.

(c) The drawing will be held at 10:00 a.m. on November 2, 1992, at lottery headquarters. The first card drawn from all returned cards will entitle the retailer named thereon to win the grand prize consisting of a trip for two December 4 through December 10, 1992, to Tokyo, Japan, to see the Kansas State vs. Nebraska football game in the "Coca-Cola Bowl," provided by WIBW of Topeka, Kansas and the Kansas lottery. The prize will also include \$1000 cash. (Authorized by K.S.A. 1991 Supp. 74-8710; implementing 1991 Supp. 74-8708 and 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

Article 4.—INDIVIDUAL GAME RULES

111-4-100. Name of Drawing. The Kansas Lottery shall conduct a series of instant ticket drawings entitled "State Fair Drawings." The dates of the drawings shall coincide with the 1992 Kansas State Fair in Hutchinson, Kansas. The times and dates of the drawings shall be as follows:

Date	Drum Opens	Draw	Drum Opens	Drum Closes
Sept. 11	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 12	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 13	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 14	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 15	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 16	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 17	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 18	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 19	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 20	9:00 a.m.	6:00 p.m.		
Sept. 20	"State Fair Grand Prize Drawing" . . During the "Grandstand Show"			

(Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-7-88, Sept. 7, 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-9-8-89, Sept. 8, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 21, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-106. Determination of "State Fair Drawing" Winners. (a) At least ten minutes before the drawings, the co-sponsor or person designated by the executive director, shall announce to the audience the time that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) Prior to sealing the receptacle or drum, the co-sponsor or person designated by the executive director shall announce that entries into the "State Fair Drawings" are closed. No further entries will be accepted.

(c) All non-winning tickets placed in receptacles or drums at the locations identified in subsections (e) and (f) of K.A.R. 111-4-105 shall be combined under the supervision of lottery security personnel present prior to the first "State Fair Drawing."

(d) Daily drawings shall be conducted only from entries placed in receptacles or drums at state fair lottery locations. After the first daily drawing subsequent

daily drawings shall be drawn from entries received from the close of each daily drawing until the close of the next daily drawing.

(e) The receptacle or drum shall be sealed and rotated a minimum of 10 times or mixed thoroughly with a shovel for two minutes by lottery security personnel present to ensure random selection.

(f) The executive director shall designate one individual of his choice to participate in the selection process.

(g) The selection of "State Fair Drawing" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, removing only one ticket from the receptacle in which all entries were placed. A person representing the executive director and a law enforcement officer approved by the Kansas lottery, division of security, shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. If the name is determined to be legible and it is determined by lottery security to be a valid ticket, the name of the winner shall be announced to the audience.

(h) The named person is not required to be present in order to win the "State Fair Drawing" prizes described in K.A.R. 111-4-104, including the "State Fair Grand Prize Drawing." The security person conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn.

(i) The person whose ticket has been drawn from the receptacle or drum at each drawing shall be determined a "State Fair Drawing" winner.

(j) Each winner shall be given a prize claim form to be completed and returned to the lottery.

(k) If the name on any ticket drawn is not legible, the ticket drawn will be void and the selection process shall be repeated until a valid winning ticket is selected. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-7-88, Sept. 8, 1988; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

BIRTHDAY GAME SHOW

111-4-336. Birthday Game Show. The Kansas lottery shall conduct a televised "Birthday Game Show" at 6:30 p.m., Central Time, on November 7, 1992. The show shall be produced by KSNW-TV of Wichita, Kansas. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 23, 1992.)

111-4-337. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 1991 Supp. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference.

(b) "Birthday Game Show" means the televised show in which the participants who have been selected at drawings conducted by the Kansas lottery have an opportunity to win various prizes as described in K.A.R. 111-4-340.

(c) "Entry ticket" means a valid "\$100,000 Birthday Game" instant lottery ticket on which the word entry

appears three times under the latex covering pursuant to K.A.R. 111-4-437 through 111-4-440. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-10-3-91, Sept. 26, 1991; amended T-111-9-1-92, Aug. 28, 1992.)

111-4-338. Entry Into Drawing. Entry into the "Birthday Game" drawing is accomplished by a player following the process detailed in these subparagraphs:

(a) Obtain a valid Kansas "\$100,000 Birthday Game" instant lottery "Entry" ticket. Only "\$100,000 Birthday Game" "Entry" tickets will be eligible.

(b) Complete the information form on the back of each "Entry" ticket in a legible manner.

(c) Place the "Entry" ticket(s) into an envelope and mail them it to the Kansas Lottery, 128 N. Kansas, Topeka, Kansas 66692-0001. Entries may also be delivered during regular business hours and placed in the receptacle provided at any of the Kansas lottery's regional offices at the following locations: 3112 West Central, Wichita, KS; 3007 West 10th, Great Bend, KS; and 128 N. Kansas, Topeka, KS.

(d) There is no limit on the number of entries a person may make.

(e) All valid "Birthday Game" "Entry" tickets must be received by the lottery at locations identified in subsection (c) by 5:00 p.m., Friday, October 30, 1992, to be eligible for entry into the "Birthday Game" drawing. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710(b); effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-339. Birthday Game Drawing. (a) To determine those who will be eligible for prizes, the Kansas lottery shall conduct one "Birthday Game" drawing in connection with the televised "Birthday Game" show which will be broadcast at 6:30 p.m. on Saturday, November 7, 1992.

(b) The "Birthday Game" drawing shall be conducted at the Kansas lottery headquarters at 128 N. Kansas, Topeka, Kansas, at 1:00 p.m. on October 31, 1992.

(c) The drum or receptacle containing the "Entry" tickets shall be sealed and rotated a minimum of 10 times or mixed thoroughly with a shovel for two minutes by lottery security personnel to ensure random selection.

(d) The selection of "Birthday Game" drawing winners shall be accomplished by an individual designated by the executive director, using a bare arm technique, removing only one ticket from the drum or receptacle in which all entries were placed. The person drawing the ticket shall show the name of the winner to the security person and the drawing manager present for verification. This process shall be repeated until six valid entries have been drawn. The first six valid entries selected will be the "finalists" eligible for participation in the "Birthday Game" television show.

(e) After the finalists have been selected and the drum or receptacle is again rotated or mixed as specified in (c), an additional 125 names will be drawn for home viewer prizes. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-340. Prizes. Prizes awarded on the televised "Birthday Game Show" shall include, but are not limited to, the following:

Winners	Prizes
(a) Grand prize winner	\$100,000
(b) Second	\$ 20,000
(c) Third	\$ 8,000
(d) Fourth	\$ 8,000
(e) Fifth	\$ 8,000
(f) Sixth	\$ 8,000
(g) Grand prize studio partner	\$ 7,000
(h) Second place studio partner	\$ 2,000
(i) Third place studio partner	\$ 500
(j) Fourth place studio partner	\$ 500
(k) Fifth place studio partner	\$ 500
(l) Sixth place studio partner	\$ 500
(m) Home Viewers	\$50 or \$100 each

(Authorized by and implementing K.S.A. 1991 Supp. 74-8710(c); effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-341. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-10-3-91, Sept. 26, 1991; revoked, 111-9-1-92, Aug. 28, 1992.)

111-4-344. Watch 'N Win Drawing. (a) In addition to the six entries selected pursuant to K.A.R. 111-4-338, there shall be an additional 125 tickets drawn at the drawings for the selection of participants for the "Watch 'N Win" segments of televised "Birthday Game Show." The drawing shall take place on October 31, 1992.

(b) The 125 additional names shall appear on the television screen during the show. Any of those 125 winners calling the lottery at 913/296-5803 by 2:00 p.m. the following Wednesday shall win \$100. Those who do not call in by that time shall receive \$50.

(c) A claim form will be sent to the winners and will be verified upon receipt by the lottery.

(d) In the event the show or any portion of it is not televised due to unforeseen difficulties which render the televised broadcast impossible, entries of potential "Watch 'N Win" winners drawn for that particular episode but not broadcast on the show shall receive \$100 each. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710(b); effective, T-111-10-3-91, Sept. 26, 1991; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-405. Name of Drawings. The Kansas Lottery shall conduct a series of drawings, entitled the "Heartland Park Drawings." The Heartland Park Drawings shall take place on Sunday, October 4, 1992, at Heartland Park, 1805 SW 71st, Topeka, Kansas 66619. Rules applicable are contained in K.A.R. 111-3-1 et seq. and 111-4-405 through 111-4-413. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-406. Prerequisites for a Drawing. Before the "Heartland Park Drawings" may be validly conducted, a location and the receptacle(s) or drum(s) must be approved by the executive director or his designee and the drawing must be open to the public. (Authorized by and implementing K.S.A. 1991 Supp.

(continued)

74-8710; effective, T-111-5-4-92, April 30, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-407. Prizes. The winners selected at the "Heartland Park Drawings" conducted pursuant to K.A.R. 111-4-405 *et seq.* shall receive prizes as follows.

Twelve tickets shall be drawn, one at a drawing prior to each race final. Prizes shall be determined by the winning driver's speed in each of the twelve different classes with the winning dollar amount representing the actual speed of the Heartland Championship winning driver with the minimum and maximum dollar amounts as follows:

Class	Minimum Dollar Amount	Maximum Dollar Amount
Top Fuel	225	325
Funny Car	225	325
Pro Stock	125	225
Top Alcohol Dragster	175	275
Top Alcohol Funny Car	175	275
Competition Eliminator	125	225
Super Stock	75	175
Stock Eliminator	50	150
Super Street	50	150
Super Gas	75	175
Super Camp	100	200
Motorcycle	100	200

All prize awards are subject to lottery validation, set-offs and deductions provided by law. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-408. Entry into Drawings. Entry into the "Heartland Park Drawings" is accomplished by the process detailed in the following subparagraphs:

- (a) Obtain a valid Kansas instant lottery ticket;
- (b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for the "Heartland Park Drawings," and shall be redeemed in accordance with the instant game rules;
- (c) If the ticket is a valid non-winning ticket, the ticket is eligible for winning a drawing and the holder of the ticket may enter the "Heartland Park Drawings."
- (d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner and sign it.
- (e) The holder of the ticket need not be present to win at the time of the "Heartland Park Drawings."
- (f) There is no limit to the number of entries a participant may make.
- (g) For the racing events occurring on October 1, 2, 3 and 4, 1992, the receptacle(s) or drum(s) shall open at 8:00 a.m. and close immediately preceding the final racing events identified in K.A.R. 111-4-407 on October 4, 1992.
- (h) The holder of a non-winning ticket must take each non-winning ticket with the information form on the back completed to the location of either of two receptacle(s) or drum(s) at the "Heartland Park Drawings" and place it in the receptacle(s) or drum(s) provided by the lottery.

(i) On Sunday, October 4, 1992, the Kansas lottery will sponsor its "Heartland Park Drawings." Players enter the drawings by placing non-winning tickets into either of the two receptacle(s) or drum(s) located inside the admission gate at Heartland Park. One will be located inside the admission gate in the concession area on the west side of the track, and the second will be near the pit area. Twelve tickets will be drawn from the combined contents of the two receptacle(s) or drum(s). Following validation by lottery security personnel, the winners' names shall be announced.

(j) Prior to the Heartland Park drawings for prizes on October 4, 1992, set forth in K.A.R. 111-4-407 or 111-4-413, the contents of the receptacle(s) or drum(s) shall be combined under the supervision of lottery personnel present, and the drawings shall be from the receptacle or drum containing all the tickets. Drawings shall be held on the track in front of Heartland Park tower. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710(b); effective, T-111-5-4-92, April 30, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-409. Determination of Winners. (a) The receptacle or drum shall be sealed and mixed to ensure random selection.

(b) The executive director shall designate one individual of his choice to participate in the selection process.

(c) The selection of the "Heartland Park Drawings" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, removing only one ticket at a time from the combined contents of the receptacle(s) or drum(s) for each of the twelve drawings. Lottery security shall review the selected ticket to determine if the ticket is valid and the name stated on the information form located on the back of the selected ticket is legible. If the ticket is valid and the name is determined to be legible, the name shall be announced to the audience.

(d) The named person need not be present at a drawing, but must in any event provide proper identification in order to claim the "Heartland Park Drawings" prize.

(e) The person whose ticket has been drawn from the receptacle or drum shall be determined the "Heartland Park Drawings" winner, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "Heartland Park Drawings" has made, he or she shall not be eligible to win more than one prize.

(f) The winner shall be given a prize claim form to be completed and returned to the lottery.

(g) If the ticket is not valid or the name on the ticket is not legible, the ticket drawn will be void and the selection process shall be repeated until a winner is selected. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-411. Ticket Disqualification. Any non-winning Kansas instant game lottery ticket entered into the "Heartland Park Drawings" shall become the property of the Kansas lottery and is disqualified from any other Kansas lottery prize or drawing. (Authorized by

and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-412. Co-sponsor Drawings. Co-sponsors of the "Heartland Park Drawings" may hold co-sponsor drawings in conjunction with local retailers, businesses and organizations at a drawing event. In no instance shall these drawings take place prior to the "Heartland Park Drawings." Such drawings, if conducted, shall be a part of the lottery "Heartland Park Drawings" and prizes, in addition to cash prizes presented by the lottery, may be donated by the co-sponsor(s). The person drawing tickets for the lottery may draw additional tickets for the co-sponsor(s) prizes. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-4-413. Cancellation of Race/Drawing. (a) If any "Heartland Park Drawing" is not held due to the Heartland Park race being cancelled because of rain out, power failure or any other unforeseen circumstance beyond the control of the Kansas lottery and Heartland Park after entries have been placed in the receptacle(s) or drum(s), it will be rescheduled. Any rescheduled drawing will be held as soon as practicable and at a location and time determined by the executive director or the person designated by the executive director and the minimum prizes identified in K.A.R. 111-4-407 will be awarded for each prize class which is rescheduled.

(b) Lottery security personnel or designated security personnel will, upon cancellation of any "Heartland Park Drawing" which is rescheduled, take possession of and secure the receptacle(s) or drum(s) containing all entries for the cancelled "Heartland Park Drawing" and hold all ticket entries contained therein until the rescheduled drawing.

(c) The winner of a rescheduled "Heartland Park Drawing" need not be present at the time of that drawing to be determined a winner.

(d) If a Heartland Park race is cancelled before the gates are open to the public, no entries will be allowed, and the "Heartland Park Drawings" will also be cancelled. If a "Heartland Park Drawing" is cancelled under (d), it will not be rescheduled. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-5-4-92, April 30, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

RULES FOR INSTANT GAME NO. 47 "\$100,000 BIRTHDAY GAME"

111-4-437. Name of Game. The Kansas Lottery shall conduct an instant winner lottery game entitled "\$100,000 Birthday Game" commencing on August 31, 1992. The specific rules for the "\$100,000 Birthday Game" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-437 through 111-4-440. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-4-438. Definitions. The following definitions shall apply to the "\$100,000 Birthday Game" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 pt. Archer. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: ENTRY - FREE - 5FREE - \$2.⁰⁰ - \$5.⁰⁰ - 10.00 - 50.⁰⁰ - \$500\$.

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
ENTRY	DRAWING
FREE	TICKET
5FREE	5TICKET
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
50. ⁰⁰	FIFTY
\$500\$	FIVE-HUN

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears below the game symbols under the removable covering on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the bottom right portion of the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: UU = ENTRY; AA = FREE; XX = 5FREE; DD = \$2.00; KK = \$5.00; BB = \$10.00. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-4-439. Determination of Instant Prize Winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three (3) or six (6) game. If three (3) of the six (6) concealed prize amounts match, the player wins the amount shown. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

(continued)

Get	Win
3 - ENTRY	Entry
3 - FREE	Ticket
3 - 5FREE	5 Tickets
3 - \$ 2.00	Two Dollars
3 - \$ 5.00	Five Dollars
3 - \$ 10.00	Ten Dollars
3 - \$ 50.00	Fifty Dollars
3 - \$500.00	Five Hundred Dollars

(Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-9-1-92, Aug. 28, 1992.)

111-4-440. Number and Value of Instant Prizes.

(a) There will be approximately 3,600,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
ENTRY	48,000	-0-
FREE	420,000	-0-
5FREE	60,000	-0-
\$ 2.00	180,000	\$ 360,000
5.00	108,000	540,000
10.00	24,000	240,000
50.00	1,200	60,000
500.00	120	60,000
	<u>841,320</u>	<u>\$1,260,000</u>

Reserve - "Birthday Game" television show prizes

180,000
\$1,440,000

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f); and 74-8720; effective, T-111-9-1-92, Aug. 28, 1992.)

RULES FOR INSTANT GAME NO. 48 "DRAW POKER"

111-4-441. Name of Game. The Kansas Lottery shall conduct an instant winner lottery game entitled "Draw Poker" commencing on October 6, 1992. The specific rules for the "Draw Poker" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-441 through 111-4-444. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-4-442. Definitions. The following definitions shall apply to the "Draw Poker" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 18 pt. Ealing. A game symbol appears in each of seven play spots within the play area. Each game symbol for this instant game is one of the following: 9 - 10 - J - Q - K - A.

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
9	NIN
10	TEN
J	JAC
Q	QEN
K	KNG
A	ACE

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the bottom portion of the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of five varying locations among the game symbols. The codes and their meanings are as follows: AA = FREE TICKET; DD = \$2.00; KK = \$5.00; NN = \$20.00. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-4-443. Determination of Instant Prize Winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal five game symbols and captions in the area designated "YOUR HAND," and two game symbols in the area designated "DRAW." This is a match three of seven game. If three of the seven concealed game symbols in both "YOUR HAND" and the "DRAW" cards match, the player wins the amount shown. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	Win
3 - 9's	Free Ticket
3 - 10's	Two Dollars
3 - J's	Five Dollars
3 - Q's	Twenty Dollars
3 - K's	Two Hundred Dollars
3 - A's	Ten Thousand Dollars

(Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i)

and 74-8720 (b) & (d); effective, T-111-9-1-92, Aug. 28, 1992.)

111-4-444. Number and Value of Instant Prizes.

(a) There will be approximately 3,300,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE	363,000	0
\$2	275,000	\$ 550,000
\$5	99,000	495,000
\$20	16,500	330,000
\$200	220	44,000
\$20,000	5	50,000
	<u>753,725</u>	<u>\$1,469,000</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f); and 74-8720; effective, T-111-9-1-92, Aug. 28, 1992.)

Article 6.—ON-LINE GAMES

111-6-1. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 1990 Supp. 74-8701 *et seq.*) and lottery regulations adopted pursuant to the Kansas lottery act are hereby incorporated by reference.

(b) "On-line Game" or "game" means a lottery game in which a player selects a combination of numbers or symbols, the type of game and amount of play, and the drawing date(s) by use of a computer. In return for paying the appropriate fee, the player receives a computer-generated ticket with the player's selection printed on it. The Kansas lottery (lottery) will conduct a drawing to determine the winning combination in accordance with the rules of the specific game being played. Each ticket holder whose valid ticket includes a winning combination shall be entitled to a prize if the ticket and a valid claim form are submitted within the specified time period.

(c) "On-line Retailer" or "retailer" means a person or business authorized by the Lottery to sell on-line tickets.

(d) "On-line Terminal (OLT)" or "terminal" means the computer hardware by which an on-line retailer or player enters the combination selected by the player and by which on-line tickets are generated and claims are validated.

(e) "On-line Ticket" or "ticket" means a computer-generated ticket issued by an on-line terminal to a player as a receipt for the combination a player had selected. That ticket shall be the only acceptable evidence of the combination of numbers or symbols selected.

(f) "Drawing" means the procedure determined by the director by which the lottery selects the winning

combination in accordance with the rules of the game. Drawings are open to the public, and are required to be witnessed by a lottery security officer and a drawing manager. Furthermore, the equipment used in any drawing must be inspected by the lottery security official present before the drawing. All drawings and inspections are required to be recorded on both video and audio tape.

(g) "Quick pick" means the random selection of numbers or symbols which appear on a ticket and are played by a player in a game.

(h) "Winning Combination" means one or more numbers or symbols randomly selected by the lottery in a public drawing.

(i) "Validation" means the process of determining whether an on-line ticket presented for payment is a winning ticket.

(j) "Ticket Holder" or "holder" means the person who has possession of an unsigned ticket or the person whose signature appears in the area upon a ticket designated for signature.

(k) "Executive director" means the executive director of the Kansas lottery or the person designated by the executive director. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; amended, T-111-10-10-90, Sept. 15, 1990; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-9-20-91, Sept. 20, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-9-1-92, Aug. 28, 1992.)

111-6-7. Validation Requirements. (a) To be a valid winning on-line ticket, all of the following conditions must be met:

(1) All printing on the ticket shall be present in its entirety, be legible, and correspond, using the computer validation file, to the combination and the date printed on the ticket.

(2) The ticket shall be intact.

(3) The ticket shall not be mutilated, altered, or tampered with in any manner.

(4) The ticket shall not be counterfeit or an exact duplicate of another winning ticket.

(5) The ticket must have been issued by an authorized on-line retailer or dispensed by a player-activated terminal in an authorized manner.

(6) The ticket must not have been stolen or cancelled.

(7) The ticket must not have been previously paid.

(8) The ticket must contain numbers which make it eligible to win a prize pursuant to specific game rules.

(9) The ticket shall pass all other confidential security checks of the lottery.

(b) Any ticket failing any of the validation requirements listed above is invalid and ineligible for a prize. The final decision on whether a prize is paid will be made by the executive director.

(c) In the event of a dispute between the executive director and a claimant as to whether a ticket is a valid winning ticket, and if the executive director determines that the ticket is not a valid winning ticket and a prize is not paid, the executive director may replace the

(continued)

disputed ticket with a ticket of equivalent sales price for a future drawing of the current game or refund the cost of the ticket. These shall be the sole and exclusive remedies of the claimant.

(d) In the event a defective on-line ticket is purchased, the only responsibility or liability of the lottery or the on-line retailer shall be the replacement of the defective on-line ticket with another on-line ticket for a future drawing of the same game.

(e) In the event an incorrect number is entered into the lottery's on-line computer system terminals following a drawing described in specific game rules and the incorrect number is reflected in reports generated by the computer system, the lottery shall not be responsible for the payment of claims presented as a result of the entry of an incorrect number in a computer system terminal which may have been used in the validation process. (Authorized by and implementing K.S.A. 1991 Supp. 8710; effective, T-89-4, Jan. 22, 1988; amended, T-111-9-1-92, Aug. 28, 1992.)

111-6-8. Payment of Prizes by On-line Retailers.

(a). An on-line retailer shall pay to the ticket bearer on-line games prizes of \$599 or less for any validated claims presented to that on-line retailer. These prizes shall be paid during all normal business hours of that on-line retailer, provided the on-line system is operational and claims can be validated.

(b) An on-line retailer may pay prizes in cash or by business check, certified check, or money order, or any combination thereof. An on-line retailer who pays a prize with a check which is dishonored may be subject to suspension or termination of its contract.

(c) Claims in excess of \$599 shall not be paid by lottery retailers. The lottery has no obligation to reimburse retailers paying claims in excess of \$599. (Authorized by and implementing K.S.A. 1991 Supp. 8710; effective, T-89-4, Jan. 22, 1988; amended, T-111-9-1-92, Aug. 28, 1992.)

Article 7.—CASH LOTTO GAME RULES

CLUB KENO

111-7-76. Name of the Game; Rules and Regulations. The Kansas lottery shall conduct a lotto game "Club Keno," beginning at 6:00 a.m., October 29, 1992. The specific rules for the "Club Keno" game are contained in K.A.R. 111-6-1 *et seq.* and 111-7-76 through 111-7-83. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710, effective, T-111-9-1-92, Aug. 28, 1992.)

111-7-77. Definitions. The following definitions shall apply to "Club Keno."

(a) "Exchange ticket" means the ticket issued to replace a consecutive game ticket that is validated before the last game on the ticket.

(b) "Game board" or "board" means that area of the game slip which contains 80 numbers from one through 80.

(c) "Game slip" means the form used in marking a player's game plays and contains one board.

(d) "Spot" or "spots" means the amount of numbers a player may play per game.

(e) "Winning numbers" means the 20 numbers between 1 and 80, randomly selected at each drawing, which shall be used to determine winning plays contained on a game ticket. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-7-78. Game Description; Retail Sale of Tickets. (a) "Club Keno" is a 10 of 20 of 80 lottery game with fixed prize amounts. For each game, a player may select from one to 10 spots. The lottery then selects 20 winning numbers from one to 80. Prizes are awarded based on the total amount of winning numbers matched by a player for the number of spots played for that game.

(b) To play, a player must use a game slip.

(c) The player must mark the amount of spots to be played. A player can pick from one to 10 spots per game slip.

(d) The player must mark the number of dollars to be wagered per game: \$1, \$2, \$3, \$4 or \$5.

(e) The player may then select the spots to be played by one of two methods. The player may mark the player's own selections on the game slip; if this method is used, the number of spots marked on the game slip must equal the number of spots which were selected to play. The other method of play is to select "quick pick," in which the number of spots randomly generated by the computer will match the number of spots indicated by the player.

(f) The player shall indicate the number of consecutive games to be played: 1, 2, 3, 4, 5, 10, 20, 50 or 100.

(g) The player shall present the completed game slip to the retailer. The cost of the ticket equals the amount wagered per game times the number of consecutive games indicated by the player.

(h) The minimum wager shall be \$1.00 per game; the maximum wager shall be \$5.00 per game. The maximum wager per game slip is \$100. Any game slip with a wager greater than \$100 shall be rejected. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-7-79. Cancellation of Tickets. (a) A single game or consecutive game ticket may be cancelled provided it is cancelled prior to the drawing at the same terminal from which it was purchased. The cancelled ticket, along with the terminal issued cancellation slip, must be retained and turned over to the lottery.

(b) If a single game or consecutive game ticket is not cancelled before the first game, credit may still be given to a retailer provided the following steps are taken:

(1) The retailer attempts to cancel the ticket within 30 seconds from the time the ticket was produced and a computer record is created of the attempt to cancel;

(2) The retailer calls the on-line vendor's "hotline" number, gives the ticket number to the operator and completely fills out a problem ticket report; and

(3) The retailer does not cash or attempt to cash the ticket; and

(4) The retailer mails the ticket attached to the completed problem ticket report to the lottery within two weeks from the date of purchase.

(c) An exchange ticket cannot be cancelled. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-7-80. Prize Structure. (a) Prizes for each \$1.00 wagered shall be as follows:

Mark 10 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
10	8,911,711.20	1	\$100,000
9	163,381.40	55	\$2,000
8	7,384.50	1,207	\$250
7	620.70	14,358	\$50
6	87.10	102,301	\$10
5	19.40	458,309	\$1
0	21.80	408,074	\$5
% Payout			53.36%
Overall Odds			1:9.05

Mark 9 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
9	1,380,687.60	1	\$25,000
8	30,681.90	45	\$2,000
7	1,690.10	817	\$100
6	174.80	7,897	\$20
5	30.70	45,012	\$5
4	8.80	157,544	\$1
% Payout			53.34%
Overall Odds			1:6.53

Mark 8 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
8	230,114.60	1	\$10,000
7	6,232.30	37	\$250
6	422.50	545	\$50
5	54.60	4,212	\$10
4	12.30	18,755	\$2
% Payout			54.77%
Overall Odds			1:9.77

Mark 7 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
7	40,979.30	1	\$2,000
6	1,366.00	30	\$100
5	115.80	354	\$10
4	19.20	2,139	\$3
3	5.70	7,171	\$1
% Payout			54.01%
Overall Odds			1:4.22

Mark 6 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
6	7,752.80	1	\$1,000
5	323.00	24	\$50
4	35.00	212	\$5
3	7.70	1,006	\$1
% Payout			55.65%
Overall Odds			1:6.19

Mark 5 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
5	1,550.60	1	\$400
4	82.70	19	\$10
3	11.90	130	\$2
% Payout			54.70%
Overall Odds			1:10.34

Mark 4 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
4	326.40	1	\$50
3	23.10	14	\$4
2	4.70	69	\$1
% Payout			53.91%
Overall Odds			1:3.88

Mark 3 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
3	72.10	1	\$20
2	7.20	10	\$2
% Payout			55.52%
Overall Odds			1:6.55

Mark 2 Spots:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
2	16.60	1	\$9
% Payout			54.22%
Overall Odds			1:16.60

Mark 1 Spot:

NUMBER CORRECT	ODDS 1:	NUMBER OF POTENTIAL WINNERS	PRIZE
1	4.00	1	\$2
% Payout			50.00%
Overall Odds			1:4.00

(b) The maximum prize awarded per game per ticket shall be \$100,000 regardless of the amount wagered per game.

(c) A player is eligible to receive only the highest prize per game played on a ticket. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-7-81. Determination of Winners. (a) "Club Keno" tickets may be sold every day of the year between 6:00 a.m. and 11:50 p.m. with validations allowed until 12:00 midnight unless cancelled by the lottery.

(b) The selection of winning numbers shall take place as nearly as possible, at five-minute intervals. The first drawing will be at 6:05 a.m. with subsequent drawings every five minutes thereafter with the last drawing at 11:50 p.m. All drawings will occur either on the hour or at multiples of five minutes past the hour. If a drawing cannot be held at the scheduled drawing time, the delayed drawing will take place at the next scheduled drawing time. Ticket sales for each drawing will end momentarily immediately prior to the scheduled drawing and then resume for the next drawing without delay. Club Keno wagering will not be

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inhibited between games. Each game is identified by a 6-digit consecutive game number that is assigned by the central system and the game number(s) for the drawing(s) for which the ticket was purchased will appear on the ticket. In the event a drawing does not occur at the drawing time scheduled, sales for that drawing will remain closed. Sales for the following drawing will remain open until five minutes after the results of the delayed drawing have been posted by the system. Winning game number selections for any games remaining on a player's ticket at the end of daily sales shall take place the next day.

(c) Winning number combinations shall be generated every five minutes through the use of a computer-driven random number generator located at lottery headquarters. The generator shall be statistically analyzed, tested, and certified by an independent qualified statistician for integrity. Periodic checks shall be made to ensure the randomness of the system at least annually.

(d) The Kansas lottery director of security shall establish the procedures for the operation and security of the random number generator, including the specification of those individuals who shall have access to the system. A security officer shall accompany anyone needing access to the secured area containing the generator for any reason. (Authorized by K.S.A. 1991 Supp. 74-8710; implementing K.S.A. 1991 Supp. 74-8710 and 74-8720; effective, T-111-9-1-92, Aug. 28, 1992.)

111-7-82. Ticket Validation. (a) The ticket must be validated in accordance with the provisions of rule K.A.R. 111-6-7.

(b) A winning ticket must contain the required number of correct spots in relation to the total number of spots contained on the ticket per the prize structure(s) listed in K.A.R. 111-7-80.

(c) A ticket with consecutive games may be validated before all the winning number game selections have been made for the remainder of the games on the ticket. An exchange ticket will be issued if a winning ticket is valid for future games. The exchange ticket will be valid for any games for which a drawing has not yet been conducted. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

111-7-83. Treatment of Equipment. The equipment provided to a "Club Keno" retailer by the lottery shall be used only for the performance of lottery authorized games under the terms of the retailer agreement. Equipment provided includes a lottery terminal, television monitor, remote control unit, controller, and mounting bracket. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992.)

Ralph Decker
Executive Director

Doc. No. 012453

State of Kansas

Social and Rehabilitation Services

Permanent Administrative Regulations

Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-70. Payment of medical expenses for eligible recipients. (a) Payment for covered services shall be made only to those providers participating in the program pursuant to K.A.R. 30-5-59. The only exceptions shall be pursuant to K.A.R. 30-5-65.

(b) Program recipients shall be eligible for the payment of specific medical expenses as follows:

(1) Payment of Medicare (title XVIII) premiums and deductibles and co-insurance amounts for services covered in the medicaid program. Recipients who are ineligible for program coverage because they have a spenddown shall be eligible for the payment of the Medicare (title XVIII) premium expense. For cash recipients, including SSI recipients, age 65 or older, payment of the Medicare (title XVIII) premium shall begin with the month of approval for medicaid, excluding any months of prior eligibility. For recipients under age 65 who are eligible for Medicare after receiving retirement and survivor's disability insurance for 24 consecutive months, payment of the Medicare (title XVIII) premium shall begin with the 25th month. For all other recipients, payment of the Medicare (title XVIII) premium shall begin with the second month following the month of approval for medicaid, excluding any months of prior eligibility;

(2) payment of premiums of health maintenance organizations which are approved by the agency or premiums of group health plans offered by the recipient's employer where the agency has determined that such a plan is cost effective;

(3) payment of other allowable medical expenses incurred in the current eligibility base period in excess of any co-pay or spenddown requirements;

(4) payment for services rendered to a person who is mandated to receive inpatient treatment for tuberculosis and who is not otherwise eligible for participation in the program. Coverage shall be limited to services related to the treatment for tuberculosis;

(5) payment for services in excess of medicaid/medikan program limitations for foster care and adoption support recipients, when approved by the agency; and

(6) payment for covered medical services provided to an individual participating in the KanWork program. A monthly cost sharing amount for medical services shall be paid by each individual participating in the KanWork program when required.

(c) The scope of services to be provided recipients and the payment for those services shall be as set forth in articles 5 and 10 of this chapter, subject to the following limitations:

(1) Payment for a particular medical expense shall be denied if it is determined that:

(A) The recipient failed to utilize medical care available through other community resources, including public institutions, veterans administration benefits, and those laboratory services that are available at no charge through the state department of health and environment;

(B) a third party liability for the medical expense has been established and is available;

(C) the recipient fails to make a good faith effort to establish a third party liability for the medical expense or fails to cooperate with the agency in establishing the liability. Payment of a medical expense may be delayed pending the outcome of a determination concerning third party liability;

(D) the expense is not covered or is only partially covered by an insurance policy because of an insurance program limitation or exclusion;

(E) the recipient failed to notify the provider of services of the recipient's eligibility for the program;

(F) the service is cosmetic, pioneering, experimental, or a result of complications related to such procedures;

(G) the service is related to transplant procedures which are noncovered by the medicaid/medikan program;

(H) the service was provided by a provider not designated as a lock-in provider for any recipient who is locked into designated providers due to abuse or participation in a primary care network. This limitation shall not apply to emergency services or services not provided by the primary care network;

(I) the service was provided by an unlicensed, unregistered or noncertified provider when licensure, registration or certification is a requirement to participate in the medicaid/medikan program; or

(J) the service exceeds the limitations defined by the program policies.

(2) Payment for out-of-state services shall be limited to:

(A) Payment on behalf of recipients where medical services are normally provided by medical vendors that are located in the bordering state and within 50 miles of the state border, except for community mental health center services, alcohol and drug abuse services or partial hospitalization services;

(B) emergency services rendered outside the state;

(C) nonemergency services for which prior approval by the agency has been given. Authorization from the agency shall be obtained before making arrangements for the individual to obtain the out-of-state services;

(D) services provided by independent laboratories; and

(E) medical services provided to foster care recipients and medical services in excess of the limitations of the state of residence, when approved by the Kansas department of social and rehabilitation services and within the scope of the adoption agreement for those for whom Kansas has initiated adoption support agreements.

(3) The scope of services for adult non-medicaid (non-title XIX) program recipients shall be limited as set forth in K.A.R. 30-5-150 through 30-5-172.

(4) Nursing facility and ICF/MR services shall not be covered for individuals who do not meet the financial provisions of K.A.R. 30-6-53(d).

(d) Payment for medical services shall be made when it has been determined and approved by the agency that an agency administrative error has been made. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5, 39-709, as amended by 1992 SB 607, Sec. 7; effective May 1, 1981; amended, E-82-11, June 17, 1981; modified, L. 1982, ch. 469, May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-87-44, Jan. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended May 1, 1988; amended July 1, 1989; amended, T-30-1-2-90, Jan. 2, 1990; amended, T-30-2-28-90, Jan. 2, 1990; amended, T-30-8-9-91, Aug. 30, 1991; amended Oct. 28, 1991; amended May 1, 1992; amended Nov. 2, 1992.)

Article 10.—ADULT CARE HOME PROGRAM OF THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-10-1a. Nursing facility program definitions.

(a) The following words and terms, when used in this part, shall have the following meanings, unless the context clearly indicates otherwise:

(1) "Accrual basis of accounting" means that revenue of the provider is reported in the period when it is earned, regardless of when it is collected, and expenses are reported in the period in which they are incurred, regardless of when they are paid.

(2) "Active treatment for individuals with mental retardation or related condition" means a continuous program for each client, which includes aggressive, consistent implementation of a program of specialized and generic training, treatment, health services and related services that is directed towards:

(A) The acquisition of the behaviors necessary for the client to function with as much self-determination and independence as possible; and

(B) the prevention or deceleration of regression or loss of current optimal functional status.

(3) "Agency" means the department of social and rehabilitation services.

(4) "Ancillary services and other medically necessary services" means those special services or supplies for which charges are made in addition to routine services. This includes oxygen. The purchase of oxygen gas shall be reimbursed to the oxygen supplier through the social and rehabilitation services' fiscal agent, or the fiscal agent may reimburse the nursing facility directly if an oxygen supplier is unavailable.

(5) "Change of ownership" means a transfer of rights and interests in real and personal property used for nursing facility services through an arms-length transaction between unrelated persons or legal entities.

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(6) "Change of provider" means a change of ownership or lessee specified in the provider agreement.

(7) "Common ownership" means an entity holds a minimum of five percent ownership or equity in the provider facility and in the company engaged in business with the provider facility.

(8) "Control" means that an individual or organization has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization or facility.

(9) "Cost and other accounting information" means adequate data, including source documentation, is accurate, current, and in sufficient detail to accomplish the purposes for which it is intended. Source documentation, including petty cash pay out memoranda and original invoices, shall be valid only if it originated at the time and near the place of the transaction. In order to provide the required cost data, financial and statistical records shall be maintained in a manner that is consistent from one period to another. This requirement shall not preclude a beneficial change in accounting procedures when there is a compelling reason to effect a change of procedures.

(10) "Cost finding" means the process of recasting the data derived from the accounts ordinarily kept by a provider to ascertain costs of the various types of services rendered.

(11) "Costs not related to resident care" means costs which are not appropriate, necessary or proper in developing and maintaining the nursing facility operation and activities. These costs are not allowable in computing reimbursable costs.

(12) "Costs related to resident care" means all necessary and proper costs, arising from arms-length transactions in accordance with general accounting rules, which are appropriate and helpful in developing and maintaining the operation of resident care facilities and activities. Specific items of expense shall be limited pursuant to K.A.R. 30-10-23a, K.A.R. 30-10-23b, K.A.R. 30-10-23c, K.A.R. 30-10-24, K.A.R. 30-10-25, K.A.R. 30-10-26, K.A.R. 30-10-27 and K.A.R. 30-10-28.

(13) "Educational activities" means an approved, formally organized or planned program of study usually engaged in by providers in order to enhance the quality of resident care in an institution. These activities shall be licensed when required by state law.

(14) "Educational activities—net cost" means the cost of approved educational activities less any grants, specific donations or reimbursements of tuition.

(15) "General accounting rules" means the generally accepted accounting principles as established by the American Institute of Certified Public Accountants, except as otherwise specifically indicated by nursing facility program policies and regulations. Any adoption of these principles does not supersede any specific regulations and policies of the nursing facility program.

(16) "Hospital-based nursing facility" means a facility that is attached or associated with a hospital. An allocation of expenditures between the hospital and the long-term care facility is required through a step-down process.

(17) "Inadequate care" means any act or failure to act which potentially may be physically or emotionally harmful to a recipient.

(18) "Mental illness" means a clinically significant behavioral or psychological syndrome or pattern that is typically associated with either a distressing symptom or impairment of function. Relevant diagnoses are limited to schizophrenia, major affective disorders, atypical psychosis, Bipolar disorder, paranoid disorders or schizoaffective disorder.

(19) "Mental retardation" means subaverage general intellectual functioning which originates in the developmental period and which is associated with an impairment in adaptive behavior.

(20) "Non-working owners" means any individual or organization having five percent or more interest in the provider who does not perform a resident-related function for the nursing facility.

(21) "Non-working related party or director" means any related party as defined in K.A.R. 30-10-1a who does not perform a resident-related function for the nursing facility.

(22) "Nursing facility (NF)" means a facility which has met state licensure standards and which provides health-related care and services, prescribed by a physician, to residents who require 24-hour-a-day, seven-day-a-week, licensed nursing supervision for ongoing observation, treatment, or care for long-term illness, disease, or injury.

(23) "Nursing facility for mental health" means a nursing facility which has met state licensure standards and provides structured mental health rehabilitation services, in addition to health-related care, for individuals with a severe and persistent mental illness who require 24-hours-per-day, seven-days-per-week, licensed nursing supervision.

(24) "Organizational costs" means those costs directly incidental to the creation of the corporation or other form of business. These costs are intangible assets in that they represent expenditures for rights and privileges which have value to the enterprise. The services inherent in organization costs extend over more than one accounting period and should be amortized over a period of not less than 60 months from the date of incorporation.

(25) "Owner-related party compensation" means salaries, drawings, consulting fees, or other payments paid to or on behalf of any owner with a five percent or greater interest in the provider or any related party as defined in K.A.R. 30-10-1a, whether the payment is from a sole proprietorship, partnership, corporation, or non-profit organization.

(26) "Ownership" means the person or legal entity that has the rights and interests of the real and personal property used to provide the nursing facility services.

(27) "Plan of care for nursing facilities" means a document which states the need for care, the estimated length of the program, the methodology to be used, and expected results.

(28) "Projected cost report" means a cost report submitted to the agency by a provider prospectively for

a 12-month period of time. The projected cost report is based on an estimate of the costs, revenues, resident days, and other financial data for that 12-month period of time.

(29) "Projection status" means that a provider has been assigned a previous provider's rate for a set period of time or is allowed to submit a projected cost report.

(30) "Provider" means the operator of the nursing facility specified in the provider agreement.

(31) "Related parties" means any relationship between two or more parties in which one party has the ability to influence another party to the transaction such that one or more of the transacting parties might fail to pursue its own separate interests fully. Related parties include parties related by family, business or financial association, or by common ownership or control. Transactions between related parties shall not be considered to have arisen through arms-length negotiations. Transactions or agreements that are illusory or a sham shall not be recognized.

(32) "Related to the nursing facility" means that the facility, to a significant extent, is associated or affiliated with, has control of, or is controlled by the organization furnishing the services, facilities, or supplies.

(33) "Representative" means a legal guardian, conservator or representative payee as designated by the social security administration, or any person designated in writing by the resident to manage the resident's personal funds, and who is willing to accept the designation.

(34) A "resident day" means that period of service rendered to a patient or resident between census-taking hours on two successive days and all other days for which the provider receives payment, either full or partial, for any medicaid/medikan or non-medicad/medikan resident who was not in the home. Census-taking hours consist of 24 hours beginning at midnight.

(35) "Routine services and supplies" means services and supplies that are commonly stocked for use by or provided to any resident. They are to be included in the provider's cost report.

(36) "Severe and persistent mental illness" means that an individual:

(A) Meets one of the following criteria:

(i) The individual has undergone psychiatric treatment more intensive than outpatient care more than once in a lifetime;

(ii) the individual has experienced a single episode of continuous, structured supportive residential care other than hospitalization for a duration of at least two months; and

(B) meets at least two of the following criteria, on a continuing or intermittent basis, for at least two years:

(i) The individual is unemployed, is employed in a sheltered setting, or has markedly limited skills and a poor work history;

(ii) the individual requires public financial assistance for out-of-hospital maintenance and may be unable to procure such assistance without help;

(iii) the individual shows severe inability to establish or maintain a personal social support system;

(iv) the individual requires help in basic living skills; or

(v) the individual exhibits inappropriate social behavior which results in demand for intervention by the mental health or judicial system.

(37) "Specialized mental health rehabilitation services" means one of the specialized rehabilitative services which provides ongoing treatment for mental health problems aimed at attaining or maintaining the highest level of mental and psychosocial well-being. This includes but is not limited to crisis intervention services; drug therapy or monitoring of drug therapy; training in medication management; structured socialization activities to diminish tendencies toward isolation and withdrawal; development and maintenance of necessary daily living skills, including grooming, personal hygiene, nutrition, health and mental health education, and money management; and maintenance and development of appropriate personal support networks.

(38) "Specialized services" means inpatient psychiatric care for the treatment of an acute episode of mental illness.

(39) "Swing bed" means a hospital bed that can be used interchangeably as either a hospital or nursing facility with reimbursement based on the specific type of care provided.

(40) "Twenty-four hour nursing care" means the provision of 24-hour licensed nursing services with the services of a registered nurse for at least eight consecutive hours a day, seven days a week.

(41) "Working trial balance" means the summary from the provider's general ledger that was used in completing the cost report.

(b) The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended April 1, 1992; amended Nov. 2, 1992.)

30-10-1b. Nursing facilities. (a) The nursing facility program shall include the following types of care facilities: Nursing facilities and nursing facilities for mental health.

(b) Change of provider.

(1) The current provider or prospective provider shall notify the agency in writing by certified mail of a proposed change of providers at least 60 days in advance of the closing transaction date. Failure to submit a timely notification shall result in the new provider assuming responsibility for any overpayment made to the previous provider before the transfer. This shall not release the previous provider of responsibility for such overpayment.

(continued)

(2) Before the dissolution of the provider business entity, involving a change of ownership of the nursing facility, or the change of lessee of the nursing facility, the provider shall notify the agency in writing at least 60 days before the change. Failure to submit a timely notification shall result in the new provider assuming responsibility for any overpayment made to the previous provider before the transfer. This shall not release the previous provider of responsibility for such overpayment. Other overpayment recovery terms may be expressly agreed to in writing by the secretary.

(3) The provider shall submit an application to be a provider of services to the agency for any addition or substitution to a partnership or any change of provider resulting in a completely new partnership. No application shall be required when a partnership is dissolved and at least one member of the partnership remains as the provider of services.

(4) If a sole proprietor not incorporated under applicable state law transfers title and property to another party, a change of ownership shall have occurred. An application to be a provider of services shall be submitted to the agency.

(5) A transfer of participating provider corporate stock shall not constitute a change of provider.

(6) A merger of one of more corporations with the participating provider corporation surviving shall not constitute a change of provider.

(7) A consolidation of two or more unrelated corporations which creates a new corporate entity through an arms-length transaction shall constitute a change of provider. The new corporate entity resulting from a consolidation shall submit an application to be a provider of services to the agency.

(8) The change or creation of a new lessee, acting as a provider of services, shall constitute a change of provider. The new lessee shall submit an application to be a provider of services to the agency. If the lessee of the facility purchases the facility, the purchase shall not constitute a change of provider. The change or creation of a sublessee, acting as the provider of services, shall not constitute a change of provider.

(9) The change or creation of a management firm, acting as the provider of services, shall not constitute a change of provider.

(c) Each new provider shall be subject to a certification survey by the department of health and environment. If certified, the period of certification shall be as established by the Kansas department of health and environment. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1982; amended May 1, 1984; amended May 1, 1986; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended May 1, 1992; amended Nov. 2, 1992.)

30-10-1c. Provider agreement. As a prerequisite for participation in the medicaid/medikan program as a nursing facility provider, the owner of the real and personal property used to provide the nursing facility services or the lessee of such real and personal prop-

erty shall enter into a provider agreement with the agency on forms prescribed by the secretary. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1982; amended May 1, 1986; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Nov. 2, 1992.)

30-10-2. Standards for participation; nursing facilities and nursing facilities for mental health. As a prerequisite for participation in the medicaid/medikan program as a provider of nursing facility services, each nursing facility shall: (a) Provide nursing services;

(b) meet the requirements of Title IV, Subtitle C, Part 2, pp 190-230, of the federal omnibus budget reconciliation act of 1987, effective October 1, 1990, which is adopted by reference;

(c) be certified for participation in the program for all licensed beds by the Kansas department of health and environment or the federal department of health and human services;

(d) be approved by the agency if the certification is for a nursing facility for mental health;

(e) submit an application for participation in the program on forms prescribed by the secretary;

(f) update provided information as required by the application forms;

(g) within 30 days of any request furnish full and complete ownership information of any subcontractor with whom the provider has had business transactions in an aggregate amount exceeding \$25,000.00 during the previous 12 months;

(h) furnish and allow inspection of any information that the agency, its designee, or the department of health and human services may request in order to assure proper payment by the medicaid/medikan program;

(i) inform all new residents of the availability of potential eligibility assessment under the federal spousal impoverishment law. The assessment is completed by the area/local agency offices; and

(j) submit to the agency a copy of the resident assessment forms for the following time frames:

(1) Initial assessment;

(2) annual and quarterly assessments;

(3) significant change assessments;

(4) assessment 21-30 days after admission; and

(5) assessment after a hospital stay of more than 72 hours. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective, E-74-43, Aug. 16, 1974; effective, E-74-63, Dec. 4, 1974; effective May 1, 1975; amended, E-76-34, July 1, 1975; amended May 1, 1976; amended Feb. 15, 1977; amended, E-78-35, Dec. 30, 1977; amended May 1, 1978; amended, E-80-13, Aug. 8, 1979; amended May 1, 1980; amended May 1, 1982; amended May 1, 1983; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Nov. 2, 1992.)

30-10-3. This rule and regulation shall expire on November 2, 1992. (Authorized by and implementing K.S.A. 39-708c, as amended by L. 1990, Chapter 152; effective, E-74-43, Aug. 16, 1974; effective May 1, 1975; amended, E-76-34, July 1, 1975; amended May 1, 1976; amended Feb. 15, 1977; amended, E-78-35, Dec. 30, 1977; amended May 1, 1978; amended, E-80-13, Aug. 8, 1979; amended May 1, 1980; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; revoked Nov. 2, 1992.)

30-10-4. This rule and regulation shall expire on November 1, 1992. (Authorized by and implementing K.S.A. 39-708c; effective, E-74-43, Aug. 16, 1974; effective May 1, 1975; amended May 1, 1976; amended Feb. 15, 1977; amended E-78-35, Dec. 30, 1977; amended May 1, 1978; amended, E-80-13, Aug. 8, 1979; amended May 1, 1980; amended May 1, 1982; amended May 1, 1983; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1990; revoked Nov. 1, 1992.)

30-10-6. Admission procedure. (a) Individuals participating in the medicaid/medikan program who are admitted to a nursing facility, or who make application while in a facility, shall have physical, emotional, social, and cognitive factors reviewed to determine the need for care and the appropriateness of services. The following procedures shall be followed in each case before admission or, in the case of individuals who make application while in a nursing facility, before authorization of payments. Nursing facility services shall be provided pursuant to Title IV, Subtitle C, Part 2, pp 190-230, of the federal omnibus budget reconciliation act of 1987, effective October 1, 1990, which is adopted by reference in K.A.R. 30-10-2. Each resident shall receive a comprehensive medical evaluation and an explicit recommendation by the physician concerning the level of care needed.

(b) A nursing facility shall not require a private-paying resident to remain in a private-pay status for any period of time after the resident becomes eligible for medicaid/medikan. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective, E-74-59, Oct. 24, 1974; effective May 1, 1975; amended, E-76-34, July 1, 1975; amended May 1, 1976; amended, E-78-35, Dec. 30, 1977; amended May 1, 1978; amended, E-80-13, Aug. 8, 1979; amended May 1, 1980; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Nov. 2, 1992.)

30-10-8. This rule and regulation shall expire on November 2, 1992. (Authorized by and implementing K.S.A. 39-708c, as amended by L. 1990, Chapter 152; effective, E-74-59, Oct. 24, 1974; effective May 1, 1975; amended May 1, 1976; amended, E-78-35, Dec. 30, 1977; amended May 1, 1978; amended, E-80-13, Aug. 8, 1979; amended May 1, 1980; amended May 1, 1981;

amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; revoked Nov. 2, 1992.)

30-10-15a. Reimbursement. Payment for services. (a) Providers with a current signed provider agreement shall be paid a per diem rate for services furnished to medicaid/medikan eligible residents. Payment shall be for the type of medical or health care required by the beneficiary as determined by the attending physician's or physician extender's certification upon admission. However, payment for services shall not exceed the type of care the provider is certified to provide under the medicaid/medikan program. The type of care required by the beneficiary may be verified by the agency prior to and after payment. No payment shall be made for care or services determined to be the result of unnecessary utilization.

(b) Payment for routine services and supplies, pursuant to K.A.R. 30-10-1a, shall be included in the per diem reimbursement and such services and supplies shall not be otherwise billed or reimbursed.

(1) The following durable medical equipment, medical supplies and other items and services shall be considered routine for each resident to attain and maintain the highest practicable physical and psychosocial well-being in accordance with the comprehensive assessment and plan of care and shall not be billed or reimbursed separately from the per diem rate:

- (A) Alternating pressure pads and pumps;
- (B) armboards;
- (C) bedpans, urinals and basins;
- (D) bed rails, beds, mattresses and mattress covers;
- (E) canes;
- (F) commodes;
- (G) crutches;
- (H) denture cups;
- (I) dialysis, including supplies and maintenance;
- (J) dressing items, including applicators, tongue blades, tape, gauze, bandages, band-aids, pads and compresses, ace bandages, vaseline gauze, cotton balls, slings, triangle bandages, pressure pads and tracheostomy care kits;
- (K) emesis basins and bath basins;
- (L) enemas and enema equipment;
- (M) facial tissues and toilet paper;
- (N) footboards;
- (O) footcradles;
- (P) gel pads or cushions;
- (Q) geri-chairs;
- (R) gloves, rubber or plastic;
- (S) heating pads;
- (T) heat lamps and examination lights;
- (U) humidifiers;
- (V) ice bags and hot water bottles;
- (W) intermittent positive pressure breathing (IPPB) machines;
- (X) I.V. stands and clamps;
- (Y) laundry, including personal laundry;
- (Z) lifts;
- (AA) nebulizers;

(continued)

(BB) occupational therapy;
 (CC) oxygen masks, stands, tubing, regulators, hoses, catheters, cannulae and humidifiers;
 (DD) parenteral and enteral infusion pumps;
 (EE) patient gowns, pajamas and bed linens;
 (FF) physical therapy;
 (GG) restraints;
 (HH) sheepskins and foam pads;
 (II) speech therapy;
 (JJ) sphygmomanometers, stethoscopes and other examination equipment;
 (KK) stretchers;
 (LL) suction pumps and tubing;
 (MM) syringes and needles, except insulin syringes and needles for diabetics that are covered by the pharmacy program;
 (NN) thermometers;
 (OO) traction apparatus and equipment;
 (PP) underpads and adult diapers, disposable and non-disposable;
 (QQ) walkers;
 (RR) water pitchers, glasses and straws;
 (SS) weighing scales;
 (TT) wheelchairs;
 (UU) irrigation solution, i.e. water and normal saline;
 (VV) lotions, creams and powders, including baby lotion, oil and powders;
 (WW) first-aid type ointments;
 (XX) skin antiseptics such as alcohol;
 (YY) antacids;
 (ZZ) mouthwash;
 (AAA) over-the-counter analgesics;
 (BBB) two types of laxatives;
 (CCC) two types of stool softeners;
 (DDD) nutritional supplements;
 (EEE) blood glucose monitors and supplies;
 (FFF) extra nursing care and supplies;
 (GGG) compressors;
 (HHH) orthoses and splints to prevent or correct contractures; and

(III) maintenance care for head-injured recipients.

(2) Urinary supplies. Urinary catheters and accessories shall be covered services in the medicaid/medikan program when billed through the durable medical equipment or medical supply provider. This expense shall not be reimbursed in the per diem rate of the cost report

(3) Nutritional therapy. Total nutritional replacement therapy shall be prior authorized to qualify for reimbursement.

(4) For medicare-certified facilities, the cost of occupational, physical and speech therapy shall be adjusted by both the ratio of medicaid units of service to total units of service and the ratio of total resident days to medicaid days. The facility shall report the total expense on the cost report and the total and medicaid units of service in an attachment. Adult services or its designee will calculate the adjustment. If the required information is not provided, the medicare revenue shall be offset against the expense, but not below zero.

(c) Payment for ancillary services, as defined in K.A.R. 30-10-1a, shall be billed separately when the services or supplies are required.

(d) Payment for specialized rehabilitative services or active treatment programs shall be included in the per diem reimbursement.

(e) Payment shall be limited to providers who accept, as payment in full, the amount paid in accordance with the fee structure established by the medicaid/medikan program.

(f) Payment shall not be made for allowable non-routine services and items unless prior authorized.

(g) Private rooms for recipients shall be covered when medically necessary or at the discretion of the facility, and the costs shall be reflected in the facility's cost report. If a private room is not medically necessary or is not occupied at the discretion of the facility, a family member, guardian, conservator or other third party may reimburse the difference between the usual and customary charge and the medicaid payment rate. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended July 1, 1991; amended Nov. 2, 1992.)

30-10-15b. Financial data. (a) General. The per diem rate or rates for providers participating in the medicaid/medikan program shall be based on an audit or desk review of the costs reported to provide resident care in each facility. The basis for conducting these audits or reviews shall be the nursing facility financial and statistical report. Each provider shall maintain sufficient financial records and statistical data for proper determination of reasonable and adequate rates. Standardized definitions, accounting, statistics, and reporting practices which are widely accepted in the nursing facility and related fields shall be followed, except to the extent that they may conflict with or be superseded by state or federal medicaid requirements. Changes in these practices and systems shall not be required in order to determine reasonable and adequate rates.

(b) Pursuant to K.A.R. 30-10-17, cost reports shall be required from providers on an annual basis.

(c) Adequate cost data and cost findings. Each provider shall provide adequate cost data on the cost report. This cost data shall be in accordance with state and federal medicaid requirements and general accounting rules, shall be based on the accrual basis of accounting, and may include a current use value of the provider's fixed assets used in resident care. Estimates of costs shall not be allowable except on projected cost reports submitted pursuant to K.A.R. 30-10-17.

(d) Recordkeeping requirements.

(1) Each provider shall furnish any information to the agency that may be necessary:

(A) To assure proper payment by the program pursuant to paragraph (2);

(B) to substantiate claims for program payments; and

(C) to complete determinations of program overpayments.

(2) Each provider shall permit the agency to examine any records and documents that are necessary to ascertain information pertinent to the determination of the proper amount of program payments due. These records shall include:

(A) Matters of the nursing facility ownership, organization, and operation, including documentation as to whether transactions occurred between related parties;

(B) fiscal, medical, and other recordkeeping systems;

(C) federal and state income tax returns and all supporting documents;

(D) documentation of asset acquisition, lease, sale or other action;

(E) franchise or management arrangements;

(F) matters pertaining to costs of operation;

(G) amounts of income received, by source and purpose; and

(H) a statement of changes in financial position.

(3) Other records and documents shall be made available as necessary.

(4) Records and documents shall be made available in Kansas.

(5) Each provider, when requested, shall furnish the agency with copies of resident service charge schedules and changes thereto as they are put into effect. The charge schedules shall be evaluated by the agency to determine the extent to which they may be used for determining program payment.

(6) Suspension of program payments may be made if the agency determines that any provider does not maintain or no longer maintains adequate records for the determination of reasonable and adequate per diem rates under the program, or the provider fails to furnish requested records and documents to the agency. Payments to that provider may be suspended.

(7) Thirty days before suspending payment to the provider, written notice shall be sent by the agency to the provider of the agency's intent to suspend payments. The notice shall explain the basis for the agency's determination with respect to the provider's records and shall identify the provider's recordkeeping deficiencies.

(8) All records of each provider that are used in support of costs, charges and payments for services and supplies shall be subject to inspection and audit by the agency, the United States department of health and human services, and the United States general accounting office. All financial and statistical records to support cost reports shall be retained for five years from the date of filing the cost report with the agency. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended

Jan. 30, 1991; amended Oct. 28, 1991; amended Nov. 2, 1992.)

30-10-17. Cost reports. (a) Historical cost data.

(1) For cost reporting purposes, each provider shall submit the nursing facility financial and statistical report in accordance with the December, 1992 version of the instructions for completing the nursing facility financial and statistical report (MS-2004), which is hereby adopted by reference.

(2) All providers who have operated a facility for 12 or more months as of December 31st shall be required to file the nursing facility financial and statistical report on a calendar year basis.

(3) Providers who have operated a facility on projection status, as defined in K.A.R. 30-10-1a, shall file an historical cost report.

(A) The historical cost report shall begin on the first day of the month closest to the date the new provider or facility is certified by the department of health and environment.

(B) The historical cost report shall end on the last day of the 12-month period following the date specified in subsection (A), except:

(i) The cost report shall end on December 31st when that date is not more than one month before or after the end of the 12-month period;

(ii) the cost report shall end on the provider's normal fiscal year end used for the internal revenue service when that date is not more than one month before or after the end of the 12-month period and the criteria for filing the cost report ending on December 31st does not apply; or

(iii) the cost report shall end on the last date of service if a provider change occurs before 11 months of operation.

(C) The historical cost report period shall cover a consecutive period of time not less than 11 months, unless there is a provider change, or more than 13 months.

(D) A subsequent overlapping 12-month historical cost report shall be filed for the calendar year ended December 31st, if the first cost report does not end on that date and the provider does not change prior to that date.

(E) The historical cost report covering the projection status period shall be used to make a settlement, upon audit, in accordance with subsection (e) of K.A.R. 30-10-18.

(b) Projected cost data.

(1) Projected cost reports for providers.

(A) If a provider is required to submit a projected cost report under subsection (c), (d) or (g) of K.A.R. 30-10-18, the provider's rate shall be based on a proposed budget with costs projected on a line item basis.

(B) The projected cost report shall begin on the first day of the month closest to the date that the provider, who meets the criteria for filing a projected cost report, is certified by the department of health and environment.

(continued)

(C) The projected cost report shall end on the last day of the 12-month period following the date specified in paragraph (B), except:

(i) The projected cost report shall end on December 31st when that date is not more than one month before or after the end of the 12-month period; or

(ii) the projected cost report shall end on the provider's normal fiscal year-end used for the internal revenue service when that date is not more than one month before or after the end of the 12-month period and the criteria for filing the projected cost report ending on December 31st does not apply.

(D) The projected cost report period shall cover a consecutive period of time not less than 11 months or more than 13 months.

(E) The projected cost report shall be reviewed for reasonableness and appropriateness by the agency. The projected cost report items that are determined to be unreasonable shall be disallowed before the projected rate is established.

(2) Projected cost reports for each provider with more than one facility. Each provider required to file a projected cost report in accordance with this subsection and who operates more than one facility, either in-state or out-of-state, shall allocate central office costs to each facility being paid rates from the projected cost data at the end of the provider's fiscal or calendar year that ends during the projection period. The method of allocating central office costs to those facilities on projection status shall be consistent with the method used to allocate such costs to those facilities in the chain who are filing historical cost reports.

(c) Amended cost reports. Amended cost reports revising cost report information previously submitted by a provider shall be required when the error or omission is material in amount and results in a change in the provider's rate of \$.10 or more per resident day. Amended cost reports shall also be permitted when the error or omission affects the current or future accounting periods of the provider. No amended cost report shall be allowed after 13 months have passed since the last day of the year covered by the report.

(d) Due dates of cost reports.

(1) Calendar year cost reports shall be received no later than the close of business on the last working day of February following the year covered by the report.

(2) Historical cost reports covering the projection status period shall be received by the agency no later than the close of business on the last working day of the second month following the close of the period covered by the report.

(3) Cost reports approved for a filing extension in accordance with K.A.R. 30-10-17(e) shall be received no later than the close of business on the last working day of the month approved for the extension request.

(e) Extension of time for submitting a cost report.

(1) A one-month extension of the due date for the filing of a cost report may, for good cause, be granted by the agency. The request shall be in writing and shall be received by the agency prior to the due date

of the cost report. Requests received after the due date shall not be accepted.

(2) A written request for a second one-month extension may be granted by the medicaid/medikan director when the cause for further delay is beyond the control of the provider. The request shall be received by the agency prior to the due date of the cost report or it shall not be approved.

(f) Penalty for late filing. Each provider filing a cost report after the due date shall be subject to the following penalties.

(1) If the cost report has not been received by the agency by the close of business on the due date, all further payments to the provider shall be withheld and suspended until the complete nursing facility financial and statistical report has been received.

(2) Failure to submit cost information within one year after the end of the cost report period shall be cause for termination from the medicaid/medikan program.

(g) Balance sheet requirement. A balance sheet prepared in accordance with cost report instructions shall be filed as part of the cost report forms for each provider.

(h) Working trial balance requirement. A working trial balance shall be submitted with the cost report. It shall contain account numbers, descriptions of the accounts, the amount of each account, and the cost report expense line which the account was reported. The working trial balance shall reconcile to the cost report schedules. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended Nov. 2, 1992.)

30-10-18. Rates of reimbursement. (a) Rates for existing nursing facilities.

(1) The determination of per diem rates shall be made, at least annually, on the basis of the cost information supplied by the provider and retained for cost auditing. The cost information for each provider shall be compared with other providers that are similar in size, scope of service and other relevant factors to determine the allowable per diem cost.

(2) Per diem rates shall be limited by cost centers and percentile maximums, except where there are special level of care facilities approved by the United States department of health and human services.

(A) The cost centers and percentile limits shall be as follows:

(i) Administration—75th percentile;

(ii) property—85th percentile;

(iii) room and board—90th percentile; and

(iv) health care—90th percentile.

(B) The property cost center maximum shall consist of the plant operating costs and an adjustment for the real and personal property fees.

(C) The percentile limits shall be determined from an annual array of the most recent historical costs of each provider in the data base.

(3) To establish a per diem rate for each provider, a factor for incentive, historical inflation, and estimated inflation shall be added to the allowable per diem cost. Other factors for the minimum wage adjustment and the federal omnibus budget reconciliation act requirements may be added to the per diem rate, when determined appropriate by the agency. After the rate is established for a provider, a detailed listing of the computation of that rate shall be provided to the provider. The effective date of the rate for existing facilities shall be in accordance with K.A.R. 30-10-19.

(b) Comparable service rate limitations.

(1) Nursing facility. The per diem rate for nursing facility care shall not exceed the rate charged for the same type of service to residents not under the medicaid/medikan program.

(2) Nursing facilities for mental health. The per diem rate for nursing facilities for mental health shall not exceed the rate charged for the same level of care in the nursing facility for mental health and for the same type of service to residents not under the medicaid/medikan program.

(3) The current private pay rate structure and the effective date shall be reported on the uniform cost report.

(4) The agency shall be notified of any private pay rate structure change within 30 days of the effective date.

(5) Each provider shall have a grace period to raise the rate charged for the same type of service to residents not under the medicaid/medikan program.

(A) The grace period shall end on the first day of the third calendar month following notification of a new medicaid/medikan rate.

(B) The notification date is the date typed on the letter which informs the provider of a new medicaid/medikan rate.

(C) There shall be no penalty during the grace period if the rate charged to residents not under the medicaid/medikan program are lower than the medicaid/medikan rate and are subsequently increased to meet or exceed the medicaid rate.

(D) If the rate charged to residents not under the medicaid/medikan program is lower after the grace period, the medicaid/medikan rate will be lowered beginning with the effective date of the medicaid rate.

(c) Rate for new construction. The per diem rate for newly constructed nursing facilities shall be based on a projected cost report submitted in accordance with K.A.R. 30-10-17. No rate shall be paid until a nursing facility financial and statistical report is received and processed for a rate.

(d) Change of provider.

(1) The payment rate for the first 12 months of operation shall be based on the historical cost data of the previous owner or provider.

(2) When the care of the residents may be at risk because the per diem rate of the previous provider is not sufficient for the new provider to provide care and

services in conformity with applicable state and federal laws, regulations, and quality and safety standards, the new provider may submit a request in writing to the agency to file a projected cost report. The provisions of this subparagraph shall not apply when capital improvements, applicable to all providers, are required by new state or federal regulations.

(e) Per diem rate errors.

(1) When the per diem rate, whether based upon projected or historical cost data, is audited by the agency and found to contain an error, a direct cash settlement shall be required between the agency and the provider for the amount of money overpaid or underpaid. If a provider no longer operates a facility with an identified overpayment, the settlement shall be recouped from a facility owned or operated by the same provider or provider corporation unless other arrangements have been made to reimburse the agency. A net settlement may occur when a provider has more than one facility involved in settlements.

(2) The per diem rate for a provider may be increased or decreased as a result of a desk review or audit on the provider's cost reports. Written notice of this per diem rate change and of the audit findings shall be sent to the provider. Retroactive adjustment of the rate paid during any projection period shall apply to the same period of time covered by the projected rate.

(3) Providers have 15 days from the date of the audit report cover letter to request an administrative review of an audit adjustment that results in an overpayment or underpayment. The request shall specify the finding or findings that the provider wishes to have reviewed.

(4) An interim settlement, based on a desk review of the historical cost report for the projection period, may be determined within 90 days after the provider is notified of the new rate determined from the cost report. The final settlement shall be based on the rate after an audit of the historical cost report.

(f) Out-of-state providers. The rate for out-of-state providers certified to participate in the Kansas medicaid/medikan program shall be the rate approved by the agency. Out-of-state providers require prior authorization by the agency.

(g) Determination of the rate for nursing facility providers re-entering the medicaid program.

(1) The per diem rate for each provider re-entering the medicaid program shall be determined from:

(A) A projected cost report in those cases where the provider:

(i) Has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more; or

(ii) has not participated in the medicaid program for less than 24 months and the per diem rate to be paid is not sufficient reimbursement for providing the economic and efficient care and services required by program laws and regulations; or

(B) the last historic cost report filed with the agency, if the provider has actively participated in the program during the most recent 24 months, and if the per diem

(continued)

rate to be paid is sufficient reimbursement for providing the economic and efficient care and services required by program laws and regulations. The appropriate historic and estimated inflation factors shall be applied to the per diem rate determined in accordance with this paragraph.

(2) Where the per diem rate for a provider re-entering the program is determined in accordance with paragraph (1)(A) of this subsection, a settlement shall be made in accordance with K.A.R. 30-10-18(e).

(3) Where the per diem rate for a provider re-entering the program is determined in accordance with paragraph (1)(B) of this subsection, a settlement shall be made only on those historic cost reports with fiscal years beginning after the date on which the provider re-entered the program. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1986; amended, T-87-29, Nov. 1, 1986; amended May 1, 1987; amended, T-89-5, Jan. 21, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended May 1, 1992; amended Nov. 2, 1992.)

30-10-19. Rates; effective dates. (a) Effective date of per diem rates for providers not on projection status. The effective date of a new rate that is based on information and data in the nursing facility cost report for the calendar year shall be the following July 1st.

(b) Effective date of the per diem rate for a new provider. The effective date of the per diem rate for a new provider, as set forth in subsections (c), (d), and (g) of K.A.R. 30-10-18, shall be the date of certification by the department of health and environment pursuant to 42 CFR section 442.13, effective October 1, 1985, which is adopted by reference. The interim rate determined from the projected cost report filed by the provider shall be established with the fiscal agent by the first day of the third month after the receipt of a complete and workable cost report. The effective date of the final rate, determined after an audit of the historical cost report filed for the projection period, shall be the date of certification by the department of health and environment.

(c) The effective date for a provider filing an historic cost report covering a projection status period shall be the first day of the month following the last day of the year covered by the report. This is the date that historic and estimated inflation factors are applied in determining prospective rates. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1992; amended Nov. 2, 1992.)

30-10-20. Payment of claims. (a) Payment to participating providers. Each participating provider shall be paid, at least monthly, a per diem rate for nursing

facility services, excluding resident liability, rendered to eligible residents provided that:

(1) The agency is billed on the turn-around document or electronic claims submission furnished by the contractor serving as the fiscal agent for the medicaid/medikan program;

(2) the turn-around document or electronic claims submission is verified by the administrator of the facility or a designated key staff member; and

(3) the claim is filed no more than six months after the time the services were rendered pursuant to K.S.A. 1991 Supp. 39-708a, and any amendments thereto.

(b) Resident's liability. The resident's liability for services shall be the amount determined by the local agency office in which a medicaid/medikan resident or the resident's agent applies for care. The resident's liability begins on the first day of each month and shall be applied in full prior to any liability incurred by the medicaid/medikan program. The unexpended portion of the resident's liability payment shall be refunded to the resident or resident's agent if the resident dies or otherwise permanently leaves the facility.

(c) The payment of claims may be suspended if there has been an identified overpayment and the provider is financially insolvent. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended Jan. 2, 1989; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Nov. 2, 1992.)

30-10-23a. Non-reimbursable costs. (a) Costs not related to resident care, as set forth in K.A.R. 30-10-1a, shall not be considered in computing reimbursable costs. In addition, the following expenses or costs shall not be allowed:

(1) Fees paid to non-working directors and the salaries of non-working officers;

(2) bad debts;

(3) donations and contributions;

(4) fund-raising expenses;

(5) taxes, as follows:

(A) Federal income and excess profit taxes, including any interest or penalties paid thereon;

(B) state or local income and excess profits taxes;

(C) taxes from which exemptions are available to the provider;

(D) taxes on property which is not used in providing covered services;

(E) taxes levied against any patient or resident and collected and remitted by the provider;

(F) self-employment taxes applicable to individual proprietors, partners, or members of a joint venture; and

(G) interest or penalties paid on federal and state payroll taxes;

(6) insurance premiums on lives of officers and owners;

(7) the imputed value of services rendered by non-paid workers and volunteers;

(8) utilization review;

(9) costs of social, fraternal, civic, and other organizations which concern themselves with activities un-

related to their members' professional or business activities;

- (10) oxygen;
- (11) vending machine and related supplies;
- (12) board of director costs;
- (13) resident personal purchases;
- (14) barber and beauty shop expenses;
- (15) advertising for patient utilization;
- (16) public relations expenses;
- (17) penalties, fines, and late charges;
- (18) prescription drugs;
- (19) items or services provided only to non-medicare/medicaid residents and reimbursed from third party payors;
- (20) automobiles and related accessories in excess of \$25,000.00. Buses and vans for resident transportation shall be reviewed for reasonableness and may exceed \$25,000.00 in costs;
- (21) provider or related party owned, leased or chartered airplanes and related expenses;
- (22) therapeutic beds; and
- (23) bank overdraft charges or other penalties.

(b) Purchase discounts, allowances, and refunds shall be deducted from the cost of the items purchased. Refunds of prior year expenses shall be deducted from the related expenses. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1988; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended July 1, 1991; amended Oct. 28, 1991; amended May 1, 1992; amended Nov. 2, 1992.)

30-10-23b. Costs allowed with limitations. (a) The following amortized expenses or costs shall be allowed with limitations:

(1) Loan acquisition fees and standby fees shall be amortized over the life of the related loan if the loan is related to resident care.

(2) Only the taxes specified below shall be allowed as amortized costs:

(A) Taxes in connection with financing, re-financing, or re-funding operations; and

(B) special assessments on land for capital improvements over the estimated useful life of those improvements.

(3) Any start-up cost of a provider with a newly constructed facility shall be recognized if it is:

(A) Incurred prior to the opening of the facility and related to developing the ability to care for clients;

(B) amortized over a period of not less than 60 months;

(C) consistent with the facility's federal income tax return, and internal and external financial reports, with the exception of (B) above; and

(D) identified in the cost report as a start-up which may include:

- (i) Administrative and nursing salaries;
- (ii) utilities;
- (iii) taxes;
- (iv) insurance;
- (v) mortgage interest;

(vi) employee training costs; and
(vii) any other allowable costs incidental to the operation of the facility.

(4) Any cost which can properly be identified as organization expense or can be capitalized as construction expense shall be appropriately classified and excluded from start-up cost.

(5) Organization and other corporate costs, as defined in K.A.R. 30-10-1a, of a provider that is newly organized shall be amortized over a period of not less than 60 months beginning with the date of organization.

(b) Membership dues and costs incurred as a result of membership in professional, technical, or business-related organizations shall be allowable. However, similar expenses set forth in paragraph (a)(9) of K.A.R. 30-10-23a shall not be allowable.

(c) Costs associated with services, facilities, and supplies furnished to the nursing facility by related parties, as defined in K.A.R. 30-10-1a, shall be included in the allowable cost of the facility at the actual cost to the related party, except that the allowable cost to the nursing facility provider shall not exceed the lower of the actual cost or the market price.

(d) When a provider chooses to pay an amount in excess of the market price for supplies or services, the agency shall use the market price to determine the allowable cost under the medicare/medicaid program in the absence of a clear justification for the premium.

(e) The net cost of job related training and educational activities shall be an allowable cost. This includes the net cost of "orientation" and "on-the-job training."

(f) Resident-related transportation costs shall include only reasonable costs that are directly related to resident care and substantiated by detailed, contemporaneous expense and mileage records. Transportation costs only remotely related to resident care shall not be allowable. Estimates shall not be acceptable.

(g) Lease payments. Lease payments shall be reported in accordance with the financial accounting statements of the Financial Accounting Standards Board. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended May 1, 1992; amended Nov. 2, 1992.)

30-10-23c. Revenues. A statement of revenue shall be required as part of the cost report forms. (a) Revenue shall be reported in accordance with general accounting rules as recorded in the accounting records of the facility and as required in the detailed revenue schedule in the uniform cost report.

(b) The cost of non-covered services provided to residents shall be deducted from the related expense item. The net expense shall not be less than zero.

(c) Revenue received for a service that is not related to resident care shall be used to offset the cost of providing that service, if the cost incurred cannot be determined or is not furnished to the agency by the provider. The cost report line item which includes the

(continued)

non-resident related costs shall not be less than zero. Miscellaneous revenue with insufficient explanation in the cost report shall be offset.

(d) Expense recoveries credited to expense accounts shall not be reclassified as revenue to increase the costs reported in order to qualify for a higher rate. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1987; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Nov. 2, 1992.)

30-10-25. Real and personal property fee. (a) The agency shall determine a real and personal property fee in lieu of an allowable cost for ownership or lease expense, or both. The real and personal property fee shall equal the sum of the property allowance determined under subsection (b) and the property value factor determined under subsection (c). The fee shall be facility-specific and shall not change as a result of change of ownership or lease by providers on or after July 18, 1984. An inflation factor may be applied to the fee on an annual basis.

(b) (1) The property allowance shall include an appropriate component for:

- (A) Rent or lease expense;
- (B) interest expense on real estate mortgage;
- (C) amortization of leasehold improvements; and
- (D) depreciation on buildings and equipment, calculated pursuant to subsection (d).

(2) The property allowance shall be subject to a program maximum. Percentile limitations shall be established, based on an array of the costs on file with the agency as of July 18, 1984.

(c) The property value factor shall be computed as follows.

(1) The sum of the components under paragraph (b)(1) shall be determined for each facility, based on costs on file with the agency as of July 18, 1984. These sums shall be placed in an array and percentile groupings shall be developed from that array.

(2) The average property allowance shall be determined for each percentile grouping under paragraph (1).

(3) The average property allowance for each percentile grouping shall be multiplied by a percentage as established by the secretary.

(d) (1) The depreciation component of the property allowance shall be:

(A) Identifiable and recorded in the provider's accounting records;

(B) based on the historical cost of the asset as established in this regulation; and

(C) prorated over the estimated useful life of the asset using the straight-line method.

(2) (A) Appropriate recording of depreciation shall include:

- (i) Identification of the depreciable assets in use;
- (ii) the assets' historical costs;
- (iii) the method of depreciation;
- (iv) the assets' estimated useful life; and
- (v) the assets' accumulated depreciation.

(B) Gains and losses on the sale of depreciable personal property shall be reflected on the cost report at the time of such sale. Trading of depreciable property shall be recorded in accordance with the income tax method of accounting for the basis of property acquired. Under the income tax method, gains and losses arising from the trading of assets, are not recognized in the year of trade but are used to adjust the basis of the newly acquired property.

(3) (A) Gains from the sale of depreciable assets while the provider participates in the medicaid/medikan program, or within one year after the provider terminates participation in the program, shall be used to reduce the allowable costs for each cost reporting period prior to the sale, subject to limitation. The total sale price shall be allocated to the individual assets sold on the basis of an appraisal by a qualified appraiser or on the ratio of the seller's cost basis of each asset to the total cost basis of the assets sold.

(B) The gain on the sale shall be defined as the excess of the sale price over the cost basis of the asset. The cost basis for personal property assets shall be the book value. The cost basis for real property assets sold or disposed of before July 18, 1984, shall be the lesser of the book value adjusted for inflation by a price index selected by the agency, or an appraisal by an American institute of real estate appraisers or an appraiser approved by the agency. The cost basis for real property assets sold or disposed of after July 17, 1984 shall be the book value.

(C) The gain on the sale shall be multiplied by the ratio of depreciation charged while participating in the medicaid/medikan program to the total depreciation charged since the date of purchase or acquisition through December 31, 1984. The resulting product shall be used to reduce allowable cost.

(4) For depreciation purposes, the cost basis for a facility acquired after July 17, 1984 shall be the lesser of the acquisition cost to the holder of record on that date, or the purchase price of the asset. The cost basis shall not include costs attributable to the negotiation or final purchase of the facility, including legal fees, accounting fees, travel costs and the cost of feasibility studies.

(e) (1) Providers may request a property fee rebasing if the following capital expenditure thresholds are met for related equipment or projects, or both:

(A) \$25,000.00 for facilities with 50 or fewer beds;

or

(B) \$50,000.00 for facilities with 51 or more beds.

(2) The per diem from the interest or depreciation, or both, from the capital expenditures shall be added to the property allowance per diem originally established.

(3) The revised property allowance shall be used to determine the property value factor. The revised property value factor shall be based on the existing arrays.

(4) Effective dates for rebased property fees:

(A) If new beds are added to a facility because of a construction project, the rebased property fee shall be effective on the date that the beds are certified by the department of health and environment.

(B) If the capital expenditure being rebased is not related to a bed size increase, the effective date of the rebased property fee shall be the first day of the month closest to the date upon which complete documentation has been received by the agency. Documentation includes:

- (i) The depreciation schedule reflecting the expense;
- (ii) the loan agreement;
- (iii) the amortization schedule for interest;
- (iv) invoices;
- (v) contractor fees; and
- (vi) proof of other costs associated with the capital expenditure.

(5) A property fee rebasing shall not be allowed if the request and documentation are submitted more than one year after the property subject to the rebasing has been acquired and put into service. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1988; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended Nov. 2, 1992.)

30-10-28. Resident days. (a) Calculation of resident days.

(1) Resident day has the meaning set forth in K.A.R. 30-10-1a.

(2) If both admission and discharge occur on the same day, that day shall be considered to be a day of admission and shall count as one resident day.

(3) If the provider does not make refunds on behalf of a resident for unused days in case of death or discharge, and if the bed is available and actually used by another resident, these unused days shall not be counted as a resident day.

(4) Any bed days paid for by the resident, or any other party on behalf of the resident, before an admission date shall not be counted as a resident day.

(5) The total resident days for the cost report period shall be precise and documented; an estimate of the days of care provided shall not be acceptable.

(6) In order to facilitate accurate and uniform reporting of resident days, the accumulated method format set forth in forms prescribed by the secretary shall be used for all residents. These forms shall be submitted to the agency as supportive documentation for the resident days shown on the cost report forms and shall be submitted at the time the cost report forms are submitted to the agency. Each provider shall keep these monthly records for each resident, whether a medicaid/medikan recipient or a non-recipient. If the provider fails to keep accurate records of inpatient days in accordance with the accumulated method format, the assumed occupancy rate shall be 100 percent.

(7) The provider shall report the total number of medicaid/medikan resident days in addition to the total resident days on the uniform cost report form.

(b) Any provider which has been in operation for 12 months or longer and with an occupancy rate of less than 85 percent for the cost report period shall calculate inpatient days at a minimum occupancy of

85 percent beginning with the patient days and costs reported for the 13th month.

(c) The minimum occupancy rate shall be determined by multiplying the total licensed bed days by 85 percent. Therefore, in order to participate in the medicaid/medikan program, each nursing facility provider shall obtain proper certification for all licensed beds as either a nursing facility or nursing facility for mental health services.

(d) Respite care days shall be counted as resident days and reported on the monthly census forms.

(e) Day care and day treatment shall be counted as one resident day for 18 hours of service. The total hours of service provided for all residents during the cost reporting year shall be divided by 18 hours to convert to resident days. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by 1992 SB 182, Sec. 5; effective May 1, 1985; amended May 1, 1987; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Nov. 2, 1992.)

30-10-29. Reimbursement for 24-hour nursing care. Nursing facilities participating in the medicaid/medikan program shall be reimbursed for providing 24-hour nursing care subject to the following limitations. (a) Nursing facilities which are currently providing 24-hour nursing care and whose costs are included in the current payment rate shall not be entitled to any further reimbursement.

(b) Nursing facilities which incur the costs of professional nurses' services for an additional evening or night shift seven days per week, but who do not have these costs included in the facility's payment rate, shall be reimbursed for these costs. Professional nurses may be registered nurses or licensed practical nurses. The additional costs of the nurses include salaries, employer payroll taxes, and related employee benefits.

(1) The reimbursement shall be limited to the evening and night shifts, 16 hours per day, seven days per week. Any provider may request reimbursement for either shift after partial compliance is met or for both shifts after full compliance is met.

(2) A reimbursement factor for 24-hour nursing care shall be provided in addition to a nursing facility's current medicaid rate and may exceed the health care cost center limit.

(3) The per diem factor shall be determined after the required forms and documentation are submitted.

(4) Required documentation includes copies of payroll records reflecting the names of nurses hired and the nurses' salary costs.

(5) As the forms and documentation will be received after the effective date of the hiring, a retroactive rate adjustment shall be made back to the effective date of employment.

(6) Nursing facilities shall only be reimbursed once for each of the evening or night shifts covered by professional nurses. If a provider loses either shift coverage after receiving the additional 24-hour nursing reimbursement factor, the costs incurred to come back

(continued)

into compliance shall be reflected in the cost report and per diem rate.

(7) Resident days used in the denominator of the 24-hour nursing reimbursement calculation shall be based on the actual resident days from the last nursing facility financial and statistical report submitted. The resident days shall not be subject to the 85 percent minimum occupancy factor.

(8) The 24-hour nursing reimbursement factor shall be reduced as related expenses are reflected in the cost reports.

(9) The provision for 24-hour nursing reimbursement shall not include the cost of contract labor incurred through the use of nursing pool services or other sources. The intent of the 24-hour nursing provision is to reimburse the provider for the cost of the professional nurse hired in an employee/employer relationship. The cost of contract labor for nurses shall be an allowable cost reported in the nursing facility

financial and statistical report and subsequently reflected in the per diem rate, subject to upper payment limits.

(10) The provision for 24-hour nursing reimbursement shall not include the cost of nurses on the day shift. The effective date of this regulation shall be November 2, 1992. (Authorized by and implementing K.S.A. 1991 Supp. 39-708c, as amended by L. 1992 SB 182, Sec. 5; effective, T-86-42, Dec. 18, 1985; effective, T-87-5, May 1, 1986; effective May 1, 1987; amended May 1, 1988; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended May 1, 1991; amended Oct. 28, 1991; amended Nov. 2, 1992.)

Donna Whiteman
Secretary of Social and
Rehabilitation Services

Doc. No. 012475

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1991 Supplement to the *Kansas Administrative Regulations*.

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1-2-81	Revoked	V. 11, p. 278
1-5-15	Amended	V. 10, p. 1688
1-5-27	Revoked	V. 10, p. 1688
1-5-28	Amended	V. 10, p. 1688
1-5-30	Amended	V. 10, p. 1689
1-6-2	Amended	V. 11, p. 278
1-6-29	Amended	V. 10, p. 1689
1-6-31	Amended	V. 11, p. 1016
1-6-32	Amended	V. 11, p. 278
1-8-7	Amended	V. 11, p. 1017
1-9-4	Amended	V. 11, p. 1017
1-9-5	Amended	V. 11, p. 1019
1-9-7a	Amended	V. 10, p. 382, 760
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1-9-21	Amended	V. 10, p. 1692
1-9-23	New	V. 11, p. 1194, 1257
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1-45-14	New	V. 11, p. 1195
1-45-16	Amended	V. 10, p. 1692
1-46-1	Amended	V. 11, p. 1195
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4-7-513	Amended	V. 10, p. 1319

4-7-530	New	V. 10, p. 1319
4-7-531	New	V. 10, p. 1319
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5-45-6	Amended	V. 11, p. 44, 363
5-45-7	Amended	V. 11, p. 44, 363
5-45-12	Amended	V. 11, p. 44, 363
5-45-13	Amended	V. 11, p. 45, 364
5-45-14	through	
5-45-17	New	V. 11, p. 45, 364, 365

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-8	New	V. 11, p. 1257, 1296
7-29-1	Amended	V. 11, p. 1369, 1423
7-30-1	Amended	V. 10, p. 728
7-32-1	Amended	V. 11, p. 1117, 1143
7-32-2	New	V. 10, p. 728

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-13-1	through	
9-13-3	Revoked	V. 10, p. 1821, 1822
9-13-4	Revoked	V. 10, p. 257
9-18-1	Amended	V. 10, p. 1822
9-19-1	through	
9-19-11	New	V. 10, p. 1822-1827
9-20-1	New	V. 10, p. 1827
9-20-2	New	V. 10, p. 1828
9-20-3	New	V. 10, p. 1828
9-21-1	New	V. 10, p. 1828
9-21-2	New	V. 10, p. 1829
9-21-3	New	V. 10, p. 1829
9-22-1	New	V. 10, p. 1829
9-22-2	New	V. 10, p. 1830
9-22-3	New	V. 10, p. 1830
9-23-1	New	V. 10, p. 1830
9-23-2	New	V. 10, p. 1831
9-23-3	New	V. 10, p. 1831
9-24-1	New	V. 10, p. 1831
9-24-2	New	V. 10, p. 1832
9-24-3	New	V. 10, p. 1832

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-16-20	Revoked	V. 11, p. 1041
14-19-24	Amended	V. 10, p. 689
14-19-36	Amended	V. 10, p. 689
14-20-25	Amended	V. 10, p. 689
14-20-26	Amended	V. 10, p. 690
14-21-9	Amended	V. 10, p. 690
14-22-6	Amended	V. 10, p. 690
14-22-9	Amended	V. 10, p. 691
14-23-4	Amended	V. 10, p. 691

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-11-17	Amended	V. 10, p. 1768
17-11-18	Amended	V. 10, p. 1768
17-11-21	Amended	V. 11, p. 1371
17-12-1	Amended	V. 10, p. 1768
17-12-2	Amended	V. 10, p. 1769
17-14-1	Amended	V. 10, p. 1769
17-15-1	Amended	V. 10, p. 1769
17-16-1	Amended	V. 10, p. 1772
17-16-2	Amended	V. 10, p. 1772
17-16-3	Amended	V. 10, p. 1772
17-16-5	Amended	V. 10, p. 1773
17-16-6	Amended	V. 10, p. 1773
17-16-8	Amended	V. 10, p. 1773
17-16-9	Amended	V. 10, p. 1773

17-18-4	Amended	V. 10, p. 1773
17-20-1	New	V. 10, p. 1773
17-21-1		
through		
17-21-8	New	v. 11, 1040
17-22-1	New	V. 11, p. 1371

AGENCY 19: KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Reg. No.	Action	Register
19-1-1	Amended	V. 11, p. 714
19-1-11	Amended	V. 11, p. 714
19-3-2	Amended	V. 11, p. 714
19-4-2	Amended	V. 11, p. 715
19-20-2	Amended	V. 11, p. 715
19-27-2	Amended	V. 11, p. 715
19-29-2	Amended	V. 11, p. 716
19-29-4	Amended	V. 11, p. 717
19-29-5	New	V. 11, p. 717
19-30-4	Amended	V. 11, p. 717
19-40-3a	Amended	V. 11, p. 718
19-40-4	New	V. 11, p. 1369
19-40-5	New	V. 11, p. 718
19-41-1	Amended	V. 11, p. 718
19-60-3	Amended	V. 11, p. 719
19-61-1	Amended	V. 11, p. 720
19-61-2	Amended	V. 11, p. 720
19-61-3	Revoked	V. 11, p. 720
19-62-1	Amended	V. 11, p. 721
19-62-2	Amended	V. 11, p. 721
19-63-2	Amended	V. 11, p. 721
19-63-3	Amended	V. 11, p. 721
19-63-4	Amended	V. 11, p. 722
19-63-6	New	V. 11, p. 722

AGENCY 21: KANSAS HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-34-1		
through		
21-34-21	New	V. 11, p. 357-360
21-34-1		
through		
21-34-21	New	V. 11, p. 504-507
21-60-1		
through		
21-60-23	New	V. 11, p. 1084-1091, 1153-1160

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
23-3-16	Revoked	V. 10, p. 916
23-8-24	Revoked	V. 10, p. 916
23-12-1	Revoked	V. 10, p. 916
23-12-8	Revoked	V. 10, p. 916
23-12-11	Revoked	V. 10, p. 917
23-21-1		
through		
23-21-14	Revoked	V. 10, p. 1441

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-4-1	Amended	V. 10, p. 405
25-4-4	Amended	V. 11, p. 164

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-8-1		
through		
26-8-14	New	V. 11, p. 1041-1043

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-405	Amended	V. 10, p. 257
28-4-530	New	V. 10, p. 1246
28-4-531	New	V. 10, p. 1246
28-15-11	Amended	V. 11, p. 1231
28-15-13	Amended	V. 11, p. 1232
28-15-14	Amended	V. 11, p. 1233
28-15-15	Revoked	V. 11, p. 1236
28-15-15a	New	V. 11, p. 1236
28-15-20	Amended	V. 11, p. 1237
28-16-29	Revoked	V. 11, p. 1260

28-16-30		
through		
28-16-36	New	V. 11, p. 1260, 1261
28-17-6	Amended	V. 10, p. 1246
28-17-12	Amended	V. 10, p. 1246
28-19-17	Amended	V. 11, p. 608
28-19-17a		
through		
28-19-171	Amended	V. 11, p. 608, 609
28-19-17m		
through		
28-19-17q	New	V. 11, p. 609, 610
28-19-19	Amended	V. 11, p. 610
28-19-61	Amended	V. 10, p. 1246
28-19-62	Amended	V. 10, p. 1250
28-19-73	Amended	V. 11, p. 612
28-19-76	New	V. 10, p. 1251
28-19-77	New	V. 10, p. 1252
28-19-78	New	V. 10, p. 1254
28-29-28		
through		
28-29-36	New	V. 11, p. 614-620, 758-764
28-31-8a	Revoked	V. 11, p. 232
28-31-10a	New	V. 11, p. 232
28-35-147	Amended	V. 11, p. 130
28-36-30	Amended	V. 10, p. 1655
28-39-77	Amended	V. 10, p. 1655
28-53-1		
through		
28-53-5	New	V. 10, p. 199
28-53-1	Amended	V. 11, p. 846
28-53-2	Amended	V. 11, p. 846
28-59-1		
through		
28-59-8	New	V. 10, p. 111-113

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 11, p. 1295
30-4-34	Amended	V. 10, p. 956
30-4-41	Amended	V. 10, p. 1648
30-4-63	Amended	V. 10, p. 1353
30-4-64	Amended	V. 10, p. 1355
30-4-72	Amended	V. 11, p. 1010, 1044
30-4-73	Amended	V. 11, p. 1262
30-4-90	Amended	V. 11, p. 1044
30-4-101	Amended	V. 11, p. 1011, 1045
30-4-109	Amended	V. 11, p. 1263
30-4-111	Amended	V. 10, p. 341
30-4-112	Amended	V. 11, p. 1263
30-4-113	Amended	V. 10, p. 693
30-4-120	Amended	V. 10, p. 343
30-4-130	Amended	V. 10, p. 961
30-4-140	Amended	V. 11, p. 365
30-5-58	Amended	V. 11, p. 984
30-5-59	Amended	V. 11, p. 371
30-5-64	Amended	V. 11, p. 372
30-5-65	Amended	V. 11, p. 372
30-5-70	Amended	V. 11, p. 372
30-5-77	Amended	V. 10, p. 1291
30-5-78	New	V. 10, p. 1364
30-5-79	New	V. 10, p. 1364
30-5-80	New	V. 11, p. 989
30-5-81	Amended	V. 10, p. 699
30-5-86	Amended	V. 11, p. 1264
30-5-88	Amended	V. 10, p. 700
30-5-92	Amended	V. 10, p. 344
30-5-94	Amended	V. 10, p. 345
30-5-95	Amended	V. 11, p. 205
30-5-101	Amended	V. 10, p. 1365
30-5-103	Amended	V. 10, p. 1365
30-5-104	Amended	V. 10, p. 701
30-5-110	Amended	V. 11, p. 373
30-5-112	Amended	V. 10, p. 963
30-5-113	Amended	V. 10, p. 963
30-5-114	Amended	V. 11, p. 1265
30-5-115	Amended	V. 10, p. 963
30-5-116	Amended	V. 10, p. 1496, 1649
30-5-116a	Amended	V. 10, p. 1496, 1649
30-5-151	Amended	V. 10, p. 963
30-5-152	Amended	V. 10, p. 963
30-5-154	Amended	V. 10, p. 963
30-5-156	Amended	V. 10, p. 963
30-5-157	Amended	V. 10, p. 964
30-5-159	Amended	V. 10, p. 964
30-5-160	Amended	
30-5-161	Amended	V. 10, p. 964
30-5-162	Amended	V. 10, p. 964
30-5-163	Amended	V. 10, p. 964
30-5-164	Amended	V. 10, p. 964
30-5-166	Amended	V. 10, p. 964
30-5-167	Amended	V. 10, p. 964
30-5-168	Amended	V. 10, p. 964
30-5-169	Amended	V. 10, p. 964
30-5-170	Amended	V. 10, p. 965
30-5-171	Amended	V. 10, p. 965
30-6-53	Amended	V. 10, p. 1366
30-6-55	Amended	V. 11, p. 374
30-6-56	Amended	V. 11, p. 374
30-6-65	Amended	V. 10, p. 1650
30-6-72	Amended	V. 11, p. 1012, 1046
30-6-73	Amended	V. 11, p. 1265
30-6-74	Revoked	V. 10, p. 1366
30-6-77	Amended	V. 10, p. 701
30-6-82	New	V. 10, p. 702
30-6-86	Amended	V. 10, p. 348
30-6-94	New	V. 10, p. 1651
30-6-103	Amended	V. 11, p. 1012, 1046
30-6-106	Amended	V. 11, p. 1013, 1266
30-6-107	Amended	V. 10, p. 705
30-6-109	Amended	V. 11, p. 1268
30-6-111	Amended	V. 10, p. 351
30-6-112	Amended	V. 11, p. 1269
30-6-113	Amended	V. 11, p. 1015, 1047
30-6-150	New	V. 11, p. 1016, 1048
30-7-65	Amended	V. 10, p. 707
30-7-75	Amended	V. 10, p. 708
30-7-76	Amended	V. 10, p. 1654
30-7-77	Amended	V. 10, p. 1655
30-7-78	Amended	V. 10, p. 1655
30-7-100		
through		
30-7-104	New	V. 11, p. 990-992
30-9-13	Revoked	V. 11, p. 992
30-9-18		
through		
30-9-22	Revoked	V. 11, p. 992
30-10-1a	Amended	V. 11, p. 205
30-10-1b	Amended	V. 11, p. 376
30-10-7	Amended	V. 10, p. 354
30-10-11	Amended	V. 11, p. 376
30-10-15a	Amended	V. 10, p. 708
30-10-15b	Amended	V. 10, p. 1372
30-10-16	Revoked	V. 10, p. 709
30-10-17	Amended	V. 10, p. 1373
30-10-18	Amended	V. 11, p. 378
30-10-19	Amended	V. 10, p. 1376
30-10-23a	Amended	V. 11, p. 379
30-10-23b	Amended	V. 11, p. 380
30-10-24	Amended	V. 10, p. 1377
30-10-25	Amended	V. 10, p. 1378
30-10-27	Amended	V. 10, p. 1379
30-10-29	Amended	V. 10, p. 1379
30-10-30	Revoked	V. 10, p. 355
30-10-200	Amended	V. 11, p. 207
30-10-207	Amended	V. 10, p. 1200
30-10-208	Amended	V. 10, p. 1200
30-10-210		
through		
30-10-226	New	V. 10, p. 48-57
30-10-210	Amended	V. 11, p. 209
30-10-211	Amended	V. 10, p. 1203
30-10-212	Amended	V. 11, p. 210
30-10-213	Amended	V. 10, p. 1204
30-10-214	Amended	V. 11, p. 1270
30-10-215	Amended	V. 10, p. 1206
30-10-217	Amended	V. 11, p. 210
30-10-218	Amended	V. 10, p. 1207
30-10-219	Amended	V. 11, p. 211
30-10-220	Amended	V. 10, p. 1208
30-10-221	Amended	V. 10, p. 1208
30-10-226	Revoked	V. 10, p. 1209
30-22-1	Amended	V. 10, p. 1380
30-22-2	Amended	V. 10, p. 1380
30-22-5	Amended	V. 10, p. 1381
30-22-6	Amended	V. 10, p. 1381
30-22-11		
through		
30-22-28	Revoked	V. 10, p. 1381
30-41-1	Amended	V. 10, p. 710

(continued)

30-41-7a	Amended	V. 10, p. 711
30-41-7i	New	V. 10, p. 711
30-41-20	New	V. 10, p. 711
30-46-13	Amended	V. 10, p. 1381
30-46-14	Revoked	V. 10, p. 1381
30-46-15	Amended	V. 10, p. 1381
30-60-1	New	V. 10, p. 1381
30-60-2	New	V. 10, p. 1381
30-60-5	New	V. 10, p. 1382
30-60-6	New	V. 10, p. 1382
30-60-7	New	V. 10, p. 1383
30-60-10	New	V. 10, p. 1383
30-60-11	New	V. 10, p. 1383
30-60-12	New	V. 10, p. 1384
30-60-17	New	V. 10, p. 1384
30-60-18	New	V. 10, p. 1384
30-60-19	New	V. 10, p. 1384
30-60-25	New	V. 10, p. 1385
30-60-26	New	V. 10, p. 1385
30-60-27	New	V. 10, p. 1385
30-60-28	New	V. 10, p. 1386
30-60-40	New	V. 10, p. 1386
30-60-41	New	V. 10, p. 1386
30-60-45	New	V. 10, p. 1386
30-60-46	New	V. 10, p. 1386
30-60-47	New	V. 10, p. 1386
30-60-50	New	V. 10, p. 1387
30-60-55	New	V. 10, p. 1387
30-60-60	New	V. 10, p. 1388
30-60-61	New	V. 10, p. 1389
30-60-62	New	V. 10, p. 1389
30-60-70	New	V. 10, p. 1389
30-60-71	New	V. 10, p. 1390
30-60-72	New	V. 10, p. 1390
30-60-73	New	V. 10, p. 1390
30-60-74	New	V. 10, p. 1390
30-60-75	New	V. 10, p. 1390
30-60-76	New	V. 10, p. 1390
30-61-1	New	V. 10, p. 1391
30-61-2	New	V. 10, p. 1391
30-61-5	New	V. 10, p. 1391
30-61-6	New	V. 10, p. 1391
30-61-10	New	V. 10, p. 1391
30-61-15	New	V. 10, p. 1391
30-61-16	New	V. 10, p. 1392

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-1-1	Amended	V. 10, p. 88
36-1-28 through 36-1-34	New	V. 10, p. 88-91
36-13-30 through 36-13-34	Amended	V. 11, p. 657-662
36-13-36	Revoked	V. 11, p. 663
36-13-37	Amended	V. 11, p. 663
36-13-38	New	V. 11, p. 664
36-13-39	New	V. 11, p. 664

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 10, p. 1582
40-1-38	New	V. 10, p. 1693
40-2-15	Amended	V. 10, p. 1693
40-2-20	New	V. 10, p. 259, 383
40-2-21	New	V. 10, p. 1583
40-3-22	Amended	V. 10, p. 1693
40-3-46	New	V. 10, p. 381
40-3-47	New	V. 10, p. 381
40-3-48	New	V. 10, p. 1584
40-4-35	Amended	V. 11, p. 82
40-4-37	Amended	V. 10, p. 1695

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-106	Amended	V. 10, p. 1195
44-6-108	Amended	V. 10, p. 1195
44-6-114c	Amended	V. 10, p. 1196
44-6-120	Amended	V. 11, p. 230
44-6-124	Amended	V. 11, p. 230
44-6-125	Amended	V. 11, p. 231
44-6-126	Amended	V. 10, p. 1197
44-6-133	Amended	V. 10, p. 1197

44-6-134	Amended	V. 10, p. 1197
44-6-135	Amended	V. 11, p. 231
44-6-142	Amended	V. 10, p. 1198
44-7-113	Amended	V. 11, p. 316
44-7-115	New	V. 11, p. 316
44-12-101	Amended	V. 11, p. 316
44-12-102	Amended	V. 11, p. 316
44-12-104	Amended	V. 11, p. 316
44-12-105	Amended	V. 11, p. 317
44-12-201	Amended	V. 11, p. 317
44-12-202	Amended	V. 11, p. 317
44-12-204	Amended	V. 11, p. 317
44-12-205	Amended	V. 11, p. 317
44-12-208	Amended	V. 11, p. 317
44-12-209	Amended	V. 11, p. 317
44-12-209	Amended	V. 11, p. 317
44-12-301	Amended	V. 11, p. 317
44-12-307	Amended	V. 11, p. 317
44-12-308	Amended	V. 11, p. 317
44-12-309	Amended	V. 11, p. 317
44-12-312	Amended	V. 11, p. 317
44-12-313	Amended	V. 11, p. 318
44-12-314	Amended	V. 11, p. 318
44-12-315	Amended	V. 11, p. 318
44-12-316	Revoked	V. 11, p. 318
44-12-317	Amended	V. 11, p. 318
44-12-319	Amended	V. 11, p. 318
44-12-321	Amended	V. 11, p. 318
44-12-323	Amended	V. 11, p. 319
44-12-324	Amended	V. 11, p. 319
44-12-325	Amended	V. 11, p. 319
44-12-326	Amended	V. 11, p. 319
44-12-328	New	V. 11, p. 319
44-12-401	Amended	V. 11, p. 319
44-12-501	Amended	V. 11, p. 319
44-12-502	Amended	V. 11, p. 319
44-12-503	Amended	V. 11, p. 319
44-12-505b	New	V. 11, p. 320
44-12-601	Amended	V. 11, p. 320
44-12-602	Amended	V. 11, p. 321
44-12-701	Revoked	V. 11, p. 321
44-12-901	Amended	V. 11, p. 321
44-12-902	Amended	V. 11, p. 322
44-12-1001	Amended	V. 11, p. 322
44-12-1002	Amended	V. 11, p. 322
44-12-1101	Amended	V. 11, p. 322
44-12-1201	Amended	V. 11, p. 322
44-12-1202	Amended	V. 11, p. 322
44-12-1301	Amended	V. 11, p. 323
44-12-1302	Amended	V. 11, p. 323
44-12-1303	Amended	V. 11, p. 323
44-12-1304	Revoked	V. 11, p. 323
44-12-1306	Amended	V. 11, p. 323
44-12-1307	Amended	V. 11, p. 324
44-13-101	Amended	V. 11, p. 324
44-13-101a	Amended	V. 11, p. 325
44-13-103	Amended	V. 11, p. 325
44-13-104	Amended	V. 11, p. 325
44-13-106	Amended	V. 11, p. 325
44-13-115	Revoked	V. 11, p. 325
44-13-201	Amended	V. 11, p. 325
44-13-201b	New	V. 11, p. 326
44-13-202	Amended	V. 11, p. 327
44-13-203	Amended	V. 11, p. 327
44-13-301	Revoked	V. 11, p. 327
44-13-302	Revoked	V. 11, p. 327
44-13-302a	New	V. 11, p. 327
44-13-303	Revoked	V. 11, p. 328
44-13-304	Amended	V. 11, p. 328
44-13-401	Amended	V. 11, p. 328
44-13-402	Amended	V. 11, p. 328
44-13-403	Amended	V. 11, p. 328
44-13-404	Amended	V. 11, p. 330
44-13-405	Revoked	V. 11, p. 331
44-13-405a	Amended	V. 11, p. 331
44-13-406	Amended	V. 11, p. 331
44-13-407	Revoked	V. 11, p. 332
44-13-408	Amended	V. 11, p. 332
44-13-501	Amended	V. 11, p. 332
44-13-502	Revoked	V. 11, p. 332
44-13-502a	New	V. 11, p. 332
44-13-503	Revoked	V. 11, p. 332
44-13-504	Revoked	V. 11, p. 333
44-13-506	Amended	V. 11, p. 333
44-13-507	Amended	V. 11, p. 333
44-13-601	Amended	V. 11, p. 333

44-13-603	Amended	V. 11, p. 333
44-13-610	Amended	V. 11, p. 333
44-13-701	Amended	V. 11, p. 333
44-13-702	Amended	V. 11, p. 334
44-13-703	Amended	V. 11, p. 334
44-13-704	Amended	V. 11, p. 334
44-13-705	Amended	V. 11, p. 334
44-13-706	Amended	V. 11, p. 334
44-13-707	Amended	V. 11, p. 335
44-15-101	Amended	V. 11, p. 335
44-15-102	Amended	V. 11, p. 335
44-15-105a	New	V. 11, p. 336
44-16-104	Amended	V. 11, p. 337

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—

DIVISION OF WORKERS' COMPENSATION		
Reg. No.	Action	Register
51-24-1	Amended	V. 11, p. 212
51-24-4	Amended	V. 11, p. 212
51-24-8	New	V. 11, p. 213
51-24-9	New	V. 11, p. 213
51-24-10	New	V. 11, p. 214

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-105	Amended	V. 10, p. 1040
60-3-106	Amended	V. 10, p. 1040
60-4-101	Amended	V. 11, p. 83
60-4-103	Amended	V. 11, p. 1193
60-8-101	Amended	V. 10, p. 496
60-9-101	Revoked	V. 10, p. 1040
60-9-102	Revoked	V. 10, p. 1040
60-9-103	Revoked	V. 10, p. 1193
60-9-104	Revoked	V. 11, p. 83
60-9-105	Amended	V. 11, p. 83
60-9-106	New	V. 10, p. 1041
60-9-107	New	V. 11, p. 83
60-9-109	New	V. 10, p. 1041
60-11-103	Amended	V. 11, p. 1193
60-11-101	Revoked	V. 10, p. 1042
60-11-111	Revoked	V. 10, p. 1042
60-11-112	New	V. 10, p. 1042
60-11-113	New	V. 10, p. 1042, 1497
60-11-114	New	V. 11, p. 85
60-11-116	New	V. 10, p. 1042
60-11-117	New	V. 10, p. 1042
60-11-118	New	V. 10, p. 1042
60-11-119	New	V. 10, p. 1043
60-12-101	Revoked	V. 10, p. 1043
60-12-102	Revoked	V. 10, p. 1043
60-12-103	Revoked	V. 10, p. 1043
60-12-105	New	V. 11, p. 85
60-12-106	New	V. 10, p. 1043
60-12-109	New	V. 10, p. 1043
60-13-101	Amended	V. 10, p. 496
60-13-105	Revoked	V. 10, p. 1044
60-13-106	Revoked	V. 10, p. 1044
60-13-107	Revoked	V. 10, p. 1044
60-13-108	Revoked	V. 10, p. 1044
60-13-110	New	V. 10, p. 1044
60-13-111	New	V. 10, p. 1044
60-13-112	New	V. 10, p. 1044
60-13-113	New	V. 11, p. 85
60-13-115	New	V. 10, p. 1044
60-15-101	Amended	V. 10, p. 1045
60-15-102	Amended	V. 10, p. 1045
60-15-103	Amended	V. 10, p. 1046
60-15-104	Amended	V. 10, p. 1046

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-1	Amended	V. 10, p. 1698
63-1-3	Amended	V. 10, p. 1698
63-1-12	Amended	V. 10, p. 1699
63-3-11	Amended	V. 10, p. 1700
63-3-17	Amended	V. 10, p. 1700
63-3-19	Amended	V. 10, p. 1700
63-3-20	Amended	V. 11, p. 133
63-3-21	New	V. 11, p. 133
63-4-1	Amended	V. 10, p. 1701
63-6-1	Amended	V. 10, p. 1701

**AGENCY 65: BOARD OF EXAMINERS
IN OPTOMETRY**

Reg. No.	Action	Register
65-4-1 through 65-4-5	New	V. 11, p. 470, 471
65-5-1 through 65-5-8	New	V. 11, p. 472, 473
65-6-8	Revoked	V. 11, p. 473
65-6-11	Revoked	V. 11, p. 474
65-6-12	Revoked	V. 11, p. 474
65-6-16	Revoked	V. 11, p. 474
65-6-25	Revoked	V. 11, p. 474
65-6-30	Revoked	V. 11, p. 474
65-6-33	Revoked	V. 11, p. 474
65-6-36	Revoked	V. 11, p. 474
65-6-37	Revoked	V. 11, p. 474
65-7-1	Revoked	V. 11, p. 474
65-7-2	Revoked	V. 11, p. 474
65-7-4	Revoked	V. 11, p. 474
65-7-8	Revoked	V. 11, p. 474
65-7-9	Revoked	V. 11, p. 474
65-7-11	Revoked	V. 11, p. 474
65-7-12	Revoked	V. 11, p. 474
65-7-13	Revoked	V. 11, p. 474
65-7-14	Revoked	V. 11, p. 474
65-8-1 through 65-8-4	New	V. 11, p. 474, 475
65-9-1 through 65-9-5	New	V. 11, p. 475, 476
65-10-1	New	V. 11, p. 476
65-10-2	New	V. 11, p. 477
65-10-3	New	V. 11, p. 477
65-11-1	New	V. 11, p. 477
65-11-2	New	V. 11, p. 477
65-11-3	New	V. 11, p. 477

**AGENCY 66: BOARD OF
TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-1	Amended	V. 11, p. 406
66-6-3	Amended	V. 11, p. 407
66-6-4	Amended	V. 11, p. 407
66-6-6 through 66-6-9	Amended	V. 11, p. 408
66-7-1	Amended	V. 11, p. 408
66-7-2	Amended	V. 11, p. 408
66-8-1 through 66-8-6	Amended	V. 11, p. 409
66-9-1 through 66-9-4	Amended	V. 11, p. 409, 410
66-10-1 through 66-10-12	Amended	V. 11, p. 410, 411
66-11-1	Amended	V. 11, p. 411
66-11-2	Amended	V. 11, p. 412
66-11-3	Amended	V. 11, p. 412
66-12-1	New	V. 11, p. 412
66-13-1	New	V. 11, p. 412

**AGENCY 67: BOARD OF HEARING
AID EXAMINERS**

Reg. No.	Action	Register
67-3-4	New	V. 10, p. 887

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-7-10	Amended	V. 10, p. 1082
68-9-1	Amended	V. 10, p. 1083
68-11-1	Amended	V. 10, p. 216
68-14-1 through 68-14-7	New	V. 11, p. 665, 666
68-20-15a	Amended	V. 10, p. 1084
68-20-18	Amended	V. 10, p. 1084
68-20-19	Amended	V. 10, p. 1085

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-7	Amended	V. 10, p. 840
74-4-6	Amended	V. 10, p. 841

74-4-7	Amended	V. 11, p. 847
74-5-2	Amended	V. 11, p. 847
74-5-103	Amended	V. 11, p. 848
74-5-104	Amended	V. 11, p. 848
74-5-202	Amended	V. 11, p. 849
74-5-203	Amended	V. 11, p. 849
74-5-403	Amended	V. 10, p. 842

**AGENCY 75: CONSUMER CREDIT
COMMISSIONER**

Reg. No.	Action	Register
75-6-11	Amended	V. 11, p. 1176
75-6-24	Amended	V. 11, p. 908
75-6-26	Amended	V. 11, p. 1176

**AGENCY 81: OFFICE OF THE
SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-2-1	Amended	V. 10, p. 1242
81-3-1	Amended	V. 10, p. 1242
81-3-2	Amended	V. 10, p. 1244
81-4-1	Amended	V. 10, p. 1245, 1316
81-4-2	New	V. 10, p. 172
81-4-3	New	V. 10, p. 1440
81-5-8	Amended	V. 10, p. 1245
81-5-9	New	V. 10, p. 1440
81-6-1	Amended	V. 10, p. 173

**AGENCY 82: STATE CORPORATION
COMMISSION**

Reg. No.	Action	Register
82-3-101	Amended	V. 10, p. 887
82-3-103	Amended	V. 11, p. 38
82-3-106	Amended	V. 11, p. 38
82-3-307	Amended	V. 10, p. 976
82-3-600	Amended	V. 10, p. 890
82-3-600b	New	V. 10, p. 890
82-3-601	Revoked	V. 10, p. 891
82-3-601a	New	V. 10, p. 891
82-3-601b	New	V. 10, p. 891
82-3-602	Amended	V. 10, p. 891
82-3-605	New	V. 10, p. 892
82-4-1	Amended	V. 11, p. 810
82-4-2	Amended	V. 10, p. 1121
82-4-3	Amended	V. 11, p. 810
82-4-6a	Amended	V. 10, p. 1122
82-4-6b	Revoked	V. 10, p. 1122
82-4-6d	Amended	V. 10, p. 1122
82-4-19a	Revoked	V. 10, p. 1123
82-4-20	Amended	V. 11, p. 811
82-4-27	Amended	V. 10, p. 1123
82-4-27a	Amended	V. 10, p. 1124
82-4-27c	Amended	V. 11, p. 812
82-4-27e	Amended	V. 11, p. 812
82-4-27g	New	V. 11, p. 812

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-4	Amended	V. 10, p. 1466
86-1-5	Amended	V. 10, p. 531
86-1-11	Amended	V. 10, p. 1466
86-1-13	Amended	V. 11, p. 1230
86-3-10	Amended	V. 10, p. 1467
86-3-21	Amended	V. 10, p. 1467

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-2-1	Amended	V. 10, p. 1467
88-2-2	Amended	V. 10, p. 1467
88-2-3	Amended	V. 10, p. 1467
88-2-4	Amended	V. 10, p. 1468
88-3-1	Amended	V. 10, p. 1468
88-3-2	Amended	V. 10, p. 1508
88-3-3	Amended	V. 10, p. 1469
88-3-5	Amended	V. 10, p. 1469
88-3-8	Amended	V. 10, p. 1469
88-3-9	Amended	V. 10, p. 1469
88-3-10	Amended	V. 10, p. 1469
88-3-11	Amended	V. 10, p. 1469
88-3-12	Amended	V. 10, p. 1470

**AGENCY 91: DEPARTMENT OF
EDUCATION**

Reg. No.	Action	Register
91-1-27d	New	V. 11, p. 765
91-1-68	Revoked	V. 10, p. 1046
91-1-68a	New	V. 10, p. 1046

91-1-68b	New	V. 10, p. 1047
91-1-68c	New	V. 10, p. 1048
91-1-68d	New	V. 10, p. 1049
91-1-69	Revoked	V. 10, p. 1050
91-1-101b	Amended	V. 10, p. 1050
91-1-112a	Amended	V. 10, p. 1051
91-1-150	Amended	V. 10, p. 1051
91-5-2	Amended	V. 11, p. 1144
91-10-1	Revoked	V. 10, p. 1051
91-10-1a	New	V. 10, p. 1052
91-12-22	Amended	V. 10, p. 1052
91-12-23	Amended	V. 11, p. 765
91-12-25	Amended	V. 10, p. 1055
91-12-51	Amended	V. 10, p. 1056
91-12-61	Amended	V. 11, p. 766
91-12-73	Amended	V. 10, p. 1056
91-31-7	Amended	V. 10, p. 686
91-35-1 through 91-35-4	New	V. 10, p. 909, 910
91-37-1 through 91-37-4	New	V. 10, p. 910, 911

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-112	New	V. 11, p. 559
92-51-34	Amended	V. 11, p. 559
92-52-9	Amended	V. 11, p. 559
92-52-9a	New	V. 11, p. 560
92-55-2a	New	V. 10, p. 531, 587

**AGENCY 93: DEPARTMENT OF REVENUE—
DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-5-1	New	V. 11, p. 554

**AGENCY 99: BOARD OF AGRICULTURE—
DIVISION OF WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-8-8	Amended	V. 10, p. 1322
99-8-9	Amended	V. 10, p. 1322
99-25-1	Amended	V. 10, p. 1322
99-25-2	Amended	V. 10, p. 1322
99-25-3	Amended	V. 10, p. 1322
99-30-2	Amended	V. 10, p. 1322
99-30-3	Amended	V. 10, p. 1323
99-30-4	Amended	V. 10, p. 1323
99-30-5	Amended	V. 10, p. 1323
99-30-6	Amended	V. 10, p. 1323
99-31-3	Amended	V. 10, p. 1323
99-31-4	Amended	V. 10, p. 1323
99-32-1 through 99-32-6	Revoked	V. 10, p. 1323

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-10a-4	Amended	V. 10, p. 653
100-11-1	Amended	V. 11, p. 1039, 1117
100-49-5	New	V. 11, p. 1084

**AGENCY 109: BOARD OF EMERGENCY
MEDICAL SERVICES**

Reg. No.	Action	Register
109-1-1	Amended	V. 11, p. 131
109-2-7	Amended	V. 10, p. 1789
109-5-1	Amended	V. 10, p. 1789
109-5-4	New	V. 10, p. 1790
109-7-1	Amended	V. 10, p. 1790
109-8-1	Amended	V. 10, p. 1791
109-9-1	Amended	V. 10, p. 1791
109-9-4	Amended	V. 10, p. 1791
109-9-5	New	V. 11, p. 133
109-11-2	Amended	V. 10, p. 1792
109-11-6	Amended	V. 10, p. 1792
109-11-9	New	V. 10, p. 1792

**AGENCY 110: DEPARTMENT OF COMMERCE
AND HOUSING**

Reg. No.	Action	Register
110-4-1 through 110-4-4	New	V. 11, p. 1176-1178, 1258-1260
110-5-1 through 110-5-6	New	V. 11, p. 1370, 1371

(continued)

AGENCY 111: THE KANSAS LOTTERY								
Reg. No.	Action	Register						
111-1-2	Amended	V. 7, p. 1190	111-4-229			111-5-11	Amended	V. 9, p. 505
111-1-5	Amended	V. 8, p. 586	111-4-236	Revoked	V. 10, p. 1585, 1586	111-5-12	Amended	V. 11, p. 415
111-2-1	Amended	V. 7, p. 1995	111-4-237			111-5-17	Amended	V. 8, p. 211
111-2-2	Amended	V. 9, p. 1675	111-4-240	Revoked	V. 11, p. 413	111-5-18	Amended	V. 10, p. 13
111-2-2a	Revoked	V. 9, p. 1675	111-4-241			111-5-19	Amended	V. 8, p. 212
111-2-6	Amended	V. 11, p. 136	111-4-244	New	V. 9, p. 1812	111-5-21		
111-2-7	Revoked	V. 10, p. 1210	111-4-245			111-5-33	New	V. 11, p. 415-418
111-2-13	Revoked	V. 10, p. 881	111-4-248	New	V. 10, p. 200	111-5-22	Amended	V. 11, p. 481
111-2-14	New	V. 9, p. 30	111-4-249			111-5-23	Amended	V. 11, p. 481
111-2-15	Revoked	V. 10, p. 881	111-4-252	New	V. 9, p. 1813	111-5-24	Amended	V. 11, p. 983
111-2-16	Revoked	V. 10, p. 1210	111-4-253			111-5-25	Amended	V. 11, p. 482
111-2-17	Revoked	V. 10, p. 1210	111-4-256	New	V. 10, p. 530	111-5-27	Amended	V. 11, p. 482
111-2-18	Revoked	V. 11, p. 413	111-4-257			111-5-28	Amended	V. 11, p. 483
111-2-19	Revoked	V. 11, p. 413	111-4-286	Revoked	V. 11, p. 413, 414	111-6-1		
111-2-20	New	V. 11, p. 199	111-4-287			111-6-15	New	V. 7, p. 213-217
111-3-1	Amended	V. 10, p. 1210	111-4-300	New	V. 10, p. 883-886	111-6-1	Amended	V. 11, p. 1151
111-3-9	Amended	V. 8, p. 1085	111-4-301			111-6-3	Amended	V. 9, p. 200
111-3-10			111-4-307	New	V. 10, p. 1015, 1016	111-6-4	Amended	V. 10, p. 1413
111-3-31	New	V. 7, p. 201-206	111-4-308			111-6-5	Amended	V. 10, p. 14
111-3-11	Amended	V. 8, p. 299	111-4-320	New	V. 10, p. 1214, 1215	111-6-6	Amended	V. 11, p. 1151
111-3-12	Amended	V. 10, p. 12	111-4-322			111-6-9	Amended	V. 10, p. 1217
111-3-13	Amended	V. 11, p. 1148	111-4-331	New	V. 10, p. 1411-1413	111-6-12	Amended	V. 8, p. 212
111-3-14	Amended	V. 10, p. 12	111-4-332			111-6-13	Amended	V. 8, p. 299
111-3-16	Amended	V. 9, p. 1566	111-4-333	New	V. 10, p. 1472	111-6-17	Revoked	V. 10, p. 1475
111-3-19			111-4-335			111-7-1		
111-3-22	Amended	V. 9, p. 30	111-4-336			111-7-10	New	V. 7, p. 1192, 1193
111-3-20	Amended	V. 11, p. 1148	111-4-345	New	V. 10, p. 1473	111-7-11	Amended	V. 8, p. 212
111-3-21	Amended	V. 11, p. 1148	111-4-346			111-7-3	Amended	V. 11, p. 1152
111-3-22	Amended	V. 11, p. 1148	111-4-361	New	V. 10, p. 1526-1528	111-7-4	Amended	V. 9, p. 1367
111-3-23	Revoked	V. 10, p. 883	111-4-362			111-7-5	Amended	V. 9, p. 986
111-3-25	Amended	V. 11, p. 1149	111-4-365	New	V. 10, p. 1586-1589	111-7-6	Amended	V. 9, p. 987
111-3-26	Amended	V. 11, p. 1149	111-4-366	Amended	V. 10, p. 1723	111-7-9	Amended	V. 9, p. 1569
111-3-27	Amended	V. 11, p. 1149	111-4-367			111-7-11	Amended	V. 10, p. 1475
111-3-29	Revoked	V. 11, p. 1149	111-4-379	New	V. 10, p. 1723	111-7-12		
111-3-31	Amended	V. 8, p. 209	111-4-380			111-7-32	New	V. 7, p. 1194-1196
111-3-32	Amended	V. 10, p. 883	111-4-383	New	V. 11, p. 136-139	111-7-33		
111-3-33	New	V. 7, p. 1434	111-4-384			111-7-43	New	V. 7, p. 1197, 1198
111-4-1	Amended	V. 8, p. 134	111-4-387	New	V. 11, p. 414	111-7-33a	New	V. 8, p. 300
111-4-2	Amended	V. 7, p. 1063	111-4-388			111-7-44		
111-4-4	Amended	V. 7, p. 1063	111-4-400	New	V. 11, p. 478-481	111-7-54	New	V. 9, p. 1367-1370
111-4-6	Amended	V. 7, p. 1434	111-4-401			111-7-54	Amended	V. 11, p. 1152
111-4-7	Amended	V. 7, p. 1945	111-4-404	New	V. 11, p. 980, 981	111-7-54	Amended	V. 10, p. 1476
111-4-8	Amended	V. 7, p. 1064	111-4-405			111-7-63	Revoked	V. 10, p. 1217
111-4-12	Amended	V. 7, p. 1190	111-4-413	New	V. 11, p. 756, 757	111-7-60	Amended	V. 10, p. 262
111-4-66			111-4-414			111-7-64		
111-4-77	New	V. 7, p. 207-209	111-4-428	New	V. 11, p. 981-983	111-7-75		
111-4-96			111-4-429	Amended	V. 11, p. 1150	111-7-75	New	V. 11, p. 13, 14
111-4-114	New	V. 7, p. 1606-1610	111-4-432	New	V. 11, p. 1118	111-7-66	Amended	V. 11, p. 1153
111-4-100	Amended	V. 11, p. 976	111-4-433			111-8-1	New	V. 7, p. 1633
111-4-101	Amended	V. 11, p. 976	111-4-436	New	V. 11, p. 1150, 1151	111-8-2	New	V. 7, p. 1633
111-4-102	Amended	V. 11, p. 976	111-5-1			111-8-3	Amended	V. 10, p. 886
111-4-103	Amended	V. 10, p. 1211	111-5-23	New	V. 7, p. 209-213	111-8-4	New	V. 7, p. 1714
111-4-104	Amended	V. 11, p. 977	111-5-9			111-8-4a	New	V. 7, p. 1995
111-4-105	Amended	V. 11, p. 977	111-5-15	Amended	V. 8, p. 210, 211	111-8-5		
111-4-106	Amended	V. 11, p. 977				111-8-13	New	V. 7, p. 1634
111-4-106a	Amended	V. 11, p. 1149				111-9-1		
111-4-107	Amended	V. 11, p. 978				111-9-12	New	V. 7, p. 1714-1716
111-4-108	Amended	V. 11, p. 978				111-9-1		
111-4-110	Amended	V. 11, p. 978				111-9-6	Revoked	V. 9, p. 1680
111-4-111	Amended	V. 9, p. 1366				111-9-13		
111-4-112	Amended	V. 11, p. 978				111-9-18	Revoked	V. 9, p. 1680
111-4-113	Amended	V. 9, p. 1366				111-9-25		
111-4-114	Amended	V. 9, p. 1366				111-9-30	New	V. 9, p. 699, 700
111-4-153						111-9-31		
111-4-160	Revoked	V. 9, p. 1676, 1677				111-9-36	New	V. 10, p. 262
111-4-177						111-9-37		
111-4-212	Revoked	V. 9, p. 1677, 1678				111-9-48	New	V. 10, p. 1439, 1440
111-4-213						111-10-1		
111-4-220	Revoked	V. 10, p. 1213				111-10-9	New	V. 8, p. 136-138
111-4-217	Amended	V. 9, p. 986				111-10-7	Amended	V. 8, p. 301
111-4-221								
111-4-224	Revoked	V. 10, p. 1585						
111-4-225								
111-4-228	Revoked	V. 10, p. 1585						

AGENCY 112: KANSAS RACING
COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 11, p. 1331
112-4-4	Amended	V. 11, p. 165
112-4-5	Amended	V. 11, p. 1332
112-4-6	Amended	V. 11, p. 1332
112-4-8	Amended	V. 11, p. 1332
112-4-9a	New	V. 11, p. 1332
112-4-12	Amended	V. 11, p. 1332
112-4-13	Revoked	V. 11, p. 1333
112-4-14b	New	V. 10, p. 162
112-4-16	Amended	V. 11, p. 1333
112-4-17	Amended	V. 11, p. 1333
112-4-18	Amended	V. 11, p. 1333
112-4-19	Amended	V. 11, p. 1333
112-4-21	New	V. 10, p. 162
112-4-21a	New	V. 11, p. 1334
112-4-22	Amended	V. 11, p. 1334
112-4-23	New	V. 11, p. 1334
112-6-1	through	
112-6-5	Amended	V. 10, p. 163-165
112-6-8	Amended	V. 10, p. 165
112-7-2	Amended	V. 11, p. 1334
112-7-5	through	
112-7-10	Amended	V. 11, p. 1334-1336
112-7-13	Amended	V. 11, p. 1336
112-7-15	Revoked	V. 11, p. 1336
112-7-15a	New	V. 11, p. 1337
112-7-15b	New	V. 11, p. 1337
112-7-16	Amended	V. 11, p. 1338
112-7-16a	New	V. 11, p. 1338
112-7-18	Amended	V. 11, p. 1338
112-7-18a	New	V. 11, p. 1339
112-7-20	Amended	V. 11, p. 1339
112-7-21	Amended	V. 11, p. 1339
112-7-22	Amended	V. 11, p. 1340
112-7-23	New	V. 11, p. 1341
112-8-3	Amended	V. 10, p. 166
112-8-4	Amended	V. 10, p. 167
112-8-5	Amended	V. 10, p. 167
112-8-8	Amended	V. 10, p. 168
112-8-10	Amended	V. 10, p. 168
112-9-11a	New	V. 11, p. 560
112-9-12	through	
112-9-21	Revoked	V. 11, p. 560, 561
112-9-12a	New	V. 11, p. 561
112-9-13a	New	V. 11, p. 561
112-9-14a	New	V. 11, p. 561
112-9-15a	New	V. 11, p. 562
112-9-16a	New	V. 11, p. 563
112-9-16b	New	V. 11, p. 563
112-9-17a	New	V. 11, p. 564
112-9-18a	New	V. 11, p. 564

112-9-19a	New	V. 11, p. 565
112-9-21a	New	V. 11, p. 566
112-9-22	Revoked	V. 11, p. 566
112-9-22a	New	V. 11, p. 566
112-9-39	Revoked	V. 11, p. 568
112-9-39a	New	V. 11, p. 568
112-9-40	Revoked	V. 11, p. 568
112-9-40a	New	V. 11, p. 568
112-9-41	Revoked	V. 11, p. 570, 754
112-9-41a	New	V. 11, p. 570, 754
112-9-42	New	V. 11, p. 571
112-9-43	New	V. 11, p. 573
112-10-2	through	
112-10-6	Amended	V. 11, p. 1341-1344
112-10-8	Amended	V. 11, p. 1344
112-10-9	Revoked	V. 11, p. 1345
112-10-9a	New	V. 11, p. 1345
112-10-12	Amended	V. 11, p. 1345
112-10-32	Amended	V. 11, p. 1345
112-10-33	Amended	V. 11, p. 1346
112-10-34	Amended	V. 10, p. 169
112-10-35	Amended	V. 11, p. 1346
112-10-36	Revoked	V. 11, p. 165
112-10-36a	New	V. 11, p. 37, 135
112-10-37	Amended	V. 11, p. 1347
112-11-13	Revoked	V. 11, p. 1347
112-11-13a	New	V. 11, p. 1347
112-11-21	Amended	V. 10, p. 263, 531
112-12-12	Amended	V. 10, p. 170
112-13-2	Amended	V. 10, p. 170
112-13-4	New	V. 10, p. 171
112-13-5	New	V. 10, p. 171
112-16-1	through	
112-16-14	New	V. 10, p. 1316-1318
112-18-2	through	
112-18-19	New	V. 11, p. 722-726

AGENCY 115: DEPARTMENT OF
WILDLIFE AND PARKS

Reg. No.	Action	Register
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115-2-1	Amended	V. 11, p. 1329
115-2-2	Amended	V. 11, p. 1330
115-2-3	Amended	V. 11, p. 1330
115-2-4	Amended	V. 11, p. 1330
115-4-1	Amended	V. 10, p. 458
115-4-3	Amended	V. 11, p. 601
115-4-5	Amended	V. 11, p. 602
115-4-6	Amended	V. 11, p. 603
115-4-7	Amended	V. 11, p. 605
115-4-11	Amended	V. 10, p. 461
115-4-12	New	V. 10, p. 461
115-7-1	Amended	V. 10, p. 1820
115-8-9	Amended	V. 11, p. 1330

115-11-2	Amended	V. 11, p. 1144
115-12-3	New	V. 10, p. 1821
115-13-1	through	
115-13-5	New	V. 10, p. 917-919
115-14-1	through	
115-14-10	New	V. 10, p. 1441-1443
115-15-1	Amended	V. 11, p. 1145
115-15-2	Amended	V. 11, p. 1146
115-16-3	Amended	V. 11, p. 1147
115-17-6	Amended	V. 11, p. 606
115-17-7	Amended	V. 11, p. 606
115-17-9	Amended	V. 11, p. 607
115-17-10	through	
115-17-13	New	V. 10, p. 461, 462
115-17-14	New	V. 11, p. 607
115-18-8	New	V. 11, p. 608
115-20-3	Amended	V. 10, p. 1821
115-20-4	New	V. 10, p. 1821

AGENCY 117: REAL ESTATE
APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 10, p. 911, 951
117-2-1	Amended	V. 10, p. 911, 952
117-2-2	Amended	V. 10, p. 912, 952
117-2-3	New	V. 10, p. 912, 952
117-2-4	New	V. 10, p. 912, 952
117-3-1	Amended	V. 10, p. 912, 953
117-3-2	Amended	V. 10, p. 913, 953
117-3-3	New	V. 10, p. 913, 953
117-3-4	New	V. 10, p. 913, 953
117-4-1	through	
117-4-4	New	V. 10, p. 913, 914, 954
117-6-1	Amended	V. 10, p. 914, 954
117-6-2	Amended	V. 10, p. 915, 955
117-6-3	Amended	V. 10, p. 915, 955
117-7-1	Amended	V. 11, p. 657, 722
117-8-1	New	V. 10, p. 916, 956
117-9-1	New	V. 10, p. 916, 956
117-7-1	Amended	V. 11, p. 657

AGENCY 118: STATE HISTORICAL SOCIETY

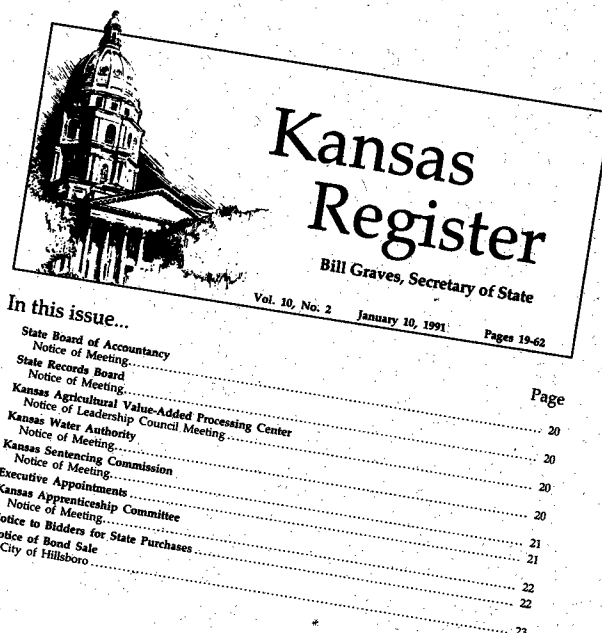
Reg. No.	Action	Register
118-1-1	through	
118-1-4	New	Vol. 11, p. 1119, 1120
118-2-1	New	V. 11, p. 554

AGENCY 119: KANSAS DEVELOPMENT
FINANCE AUTHORITY

Reg. No.	Action	Register
119-1-1	New	V. 10, p. 263
119-1-2	New	V. 10, p. 264
119-1-3	New	V. 10, p. 264

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